DOCUMENT RESUME

ED 293 931 UD 025 982

TITLE	First Annual Report on Hispanic Concerns.
INSTITUTION	New York City Office of the Mayor, N.Y.
PUB DATE	Sep 87
NOTE	189p.
PUB TYPE	Reports - Descriptive (141)
EDRS PRICE	MF01/PC08 Plus Postage.
DESCRIPTORS	*Disadvantaged; Economic Opportunities; Educational Improvement; Equal Opportunities (Jobs); High Risk Persons; *Hispanic Americans; *Municipalities; *Public Policy; Quality of Life; Social Agencies; *Social Bias; Urban Demography; *Urban Problems
IDENTIFIERS	*New York (New York)

ABSTRACT

This first annual report on Hispanic concerns in New York City offers a demographic analysis of Hispanics in the city and highlights new initiatives that respond to the 1986 recommendations of the Mayor's Commission on Hispanic Concerns. Programs have been implemented and planned for this growing segment of the population in the following areas: (1) immigration; (2) education; (3) economic development; (4) housing; (5) a public benefit corporation to facilitate purchase of city-owned buildings and participation in other city projects; (6) private sector employment; (7) employment in city government; (8) health and mental health; (9) criminal justice; (10) city services; and (11) city language services. The programs, accompanied by the appropriate policy initiatives, are meant to serve a very diverse Hispanic community from many countries in the Caribbean and Central and South America. Since it is important to understand the differences among these groups, research will be undertaken to highlight differences, especially between Puerto Ricans and other Hispanics. Every sector of the city and all types of city services will be reviewed for adequacy in addressing the special concerns of these populations. (VM)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

1-12-88

ED295921

FIRST ANNUAL REPORT ON HISPANIC CONCERNS

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☑ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

Luis A. Miranda
Mayor's Office for Hispanic Affairs

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

CITY OF NEW YORK

Edward I. Koch
Mayor

September 1987

CS023982

BEST COPY AVAILABLE

FIRST ANNUAL REPORT

ON

HISPANIC CONCERNS

CITY OF NEW YORK

Edward I. Koch
Mayor

September 1987

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

September 16, 1987

Dear Fellow New Yorker:

On the night of my victory in the Democratic primary in 1985, I thanked the New York City Hispanic community for their overwhelming support of my candidacy and stated that I would like my administration during my third term to be measured by what we did for the Hispanic community.

On October 4 of that year, I named a distinguished panel of Hispanic New Yorkers to a Mayor's Commission on Hispanic Concerns and asked them to provide a blueprint for steps the City should take to improve the quality of life for the Hispanic community. The Commission issued a report in December 1986 containing recommendations in all vital areas of city services -- education, economic development, housing, private sector employment, government employment, health, criminal justice and language services.

In responding to the Commission's Report in March 1987, I pledged to implement most of the Commission's recommendations. Beyond this, I made a pledge that is virtually unpredecented in city government: I offered to prepare an annual report for release to the public that would provide a status report on each of the intiatives announced in response to the Commission's recommendations.

With today's release of the first Annual Report on Hispanic Concerns that promise is being kept.

After reading this Annual Report, I hope you will agree that, in most instances, we have implemented the programs we projected six months ago. A few initiatives have been delayed, some have been stymied by legislative inaction or adverse court rulings, but none has been abandoned. These new programs are among the highlights of the new initiatives that are now underway:

o the Board of Education will soon start computing dropout rates by ethnic and racial student groups.

o the Board of Education, working with Deputy Mayor Esnard and city agencies, has reduced by two years the construction schedules for new schools in overcrowded school districts, has instituted condemnation proceedings, and has developed prototype schools for the first time in years.

o the City has created a Division of Economic Opportunity within the Office of Business Development and has named Ms. Herminia Ramos-Donovan as Assistant Commissioner of the new office.

o Deputy Mayor Townsend has named a Hispanic Business Advisory Board, chaired by Ramon Morales; OBD is undertaking an extensive survey of the Hispanic business community under the guidance of this Board.

o the Public Development Corporation, the Department of Housing, Preservation and Development, and other city agencies have combined forces to develop a master plan for East Harlem, called the East Harlem Initiative. The first meeting with representatives from the East Harlem community board has been scheduled.

o the City has drafted and is now finalizing legislation to create a public benefit corporation to undertake expedited economic and housing development in distressed areas.

o the City Works program has been expanded, offering additional job opportunities to 100 young people.

o the City will soon announce the creation of a new Equal Employment Opportunity Office to coordinate recruitment efforts for city employment.

o the Health and Hospitals Corporation has created a highly successful pre-residency program in psychiatry. Initially implemented at Harlem Hospital, it was expanded to Elmhurst and is now slated for expansion to Lincoln Hospital.

o HHC has also implemented a training program in cultural sensitivity for HHC workers.

o HHC has also opened a replica of the highly acclaimed Roberto Clemente Family Guidance Center at Lincoln Hospital.

o the Police Department has expanded its bilingual precinct receptionist program to thirteen additional precincts, thereby covering all precincts with populations that are more than thirty percent Hispanic.

o the Police Department and the Victim Services Agency have expanded the Domestic Violence Prevention Project to the 23rd Precinct in East Harlem which is approximately one half Hispanic.

o the City has created the position of Language Services Coordinator, and has appointed Mr. Harry Alier for the post. The main function of this office will be to develop, in conjunction with all city agencies, a Language Services Plan for the delivery of city services to those with limited English speaking abilities.

In addition to reporting on specific initiatives undertaken in response to the Hispanic Commission recommendations, this first Annual Report on Hispanic Concerns provides a broader focus on city policies and programs and attempts to understand those programs in terms of their beneficial impacts upon the Hispanic community.

For example, the Annual Report provides these findings:

o thanks to a robust City economy, Hispanic unemployment has reached a new low, dropping from 11.6% in the first half of 1986 to 8.7% in the first half of 1987.

o the level of Hispanic employment in city government continues to rise. In 1986, the number of Hispanic city employees increased to 12,832, or 10% of the city workforce, from the 1985 level of 11,768 (9.04% of the total). Hispanic officials and administrators increased by 18% over the year, from 514 in 1985 to 607 in 1986. Hispanic professionals increased by 12%, from 1,255 in 1985 to 1,401 in 1986. The technician workforce increased by 29% over the same period of time, from 689 in 1985 to 869 in 1986.

o a preliminary status report on the implementation of Local Law 10 is very encouraging. That law requires HHC to provide interpreter services in HHC Emergency Rooms. According to the report, over a thirty day period there were 3,111 requests for intrepretation; 91.5% were requests for Spanish-speaking interpreters and were handled by ER staff; 6.3% were requests for non-Spanish speaking interpreters; only 2.1% could not be handled by ER staff and were handled through the Hospital's central language banks.

In introductions to each chapter, the Annual Report also provides perspectives on each subject matter, indicating that although progress has been made, our City still has room for improvement in each and every area.

As recent waves of Hispanic immigrants from Central and South America attest, this City and this country remain a beacon of opportunity and hope. For too many of our poor, whether Hispanic, black, Asian, or white, that promise remains unfulfilled. With renewed and expanded financial commitments to quality services, particularly housing and education, that promise comes closer to reality.

All the best.

Sincerely,

Edward I. Koch
M A Y O R

FIRST ANNUAL REPORT

ON

HISPANIC CONCERNS

TABLE OF CONTENTS

		Page
INTRODUCTION:	THE HISPANIC COMMUNITY	1
Chapter 1:	IMMIGRATION	
	Program Highlights	5
Chapter 2:	EDUCATION	
	Perspectives	14
	Program Highlights	16
	Status Report on Initiatives	19
Chapter 3:	ECONOMIC DEVELOPMENT	
	Perspectives	48
	Program Highlights	49
	Status Report on Initiatives	53
Chapter 4:	HOUSING	
	Perspectives	74
	Program Highlights	76
	Status Report on Initiatives	78
Chapter 5:	PUBLIC BENEFIT CORPORATION	94
Chapter 6:	PRIVATE SECTOR EMPLOYMENT	
	Perspectives	98
	Program Highlights	100
	Status Report on Initiatives	103
Chapter 7:	EMPLOYMENT IN CITY GOVERNMENT	
	Perspectives	109
	Program Highlights	110
	Status Report on Initiatives	111
Chapter 8:	HEALTH AND MENTAL HEALTH	
	Perspectives	120
	Program Highlights	122
	Status Report on Initiatives	127
Chapter 9:	CRIMINAL JUSTICE	
	Perspectives	142
	Program Highlights	143
	Status Report on Initiatives	148
Chapter 10:	CITY SERVICES	
	Status Report on Initiatives	163
Chapter 11:	CITY LANGUAGE SERVICES	
	Perspectives	168
	Program Highlights	169
	Status Report on Initiatives	172
Footnotes		174

INTRODUCTION: THE HISPANIC COMMUNITY

This is the first Annual Report on Hispanic Concerns. In the pages that follow, the reader will find extensive discussion of specific programs, details of policy initiatives, and descriptions of city services. In most instances, these services are viewed from the perspectives and needs of the Hispanic community.

Prior to beginning the discussion of these initiatives and programs, it is important, at the outset, to address a different set of questions: who makes up the Hispanic community? how has that community changed over recent years? what are the future directions for change within the Hispanic community? A brief discussion of the answers to these questions will set the programmatic analysis into proper context.

Nationwide, Hispanics constitute a rapidly growing ethnic minority. The United States Census Bureau has reported that the nation's Hispanic population has increased 30% since 1980, five times as fast as the rest of the population.[1] This rapid increase parallels the growth in the City's Hispanic population. The 1980 Census recorded 1,406,024 Hispanics living in New York City; almost 20% of the City's population.[2] The 1985 Current Population Survey estimates that the Hispanic population in the City has grown to 1,872,597, a 33% increase over five years.[3] By the year 2000, Hispanic and other minority groups will account for about 60% of the City's total population, a sharp contrast to a 48% minority population in 1980 and 12.7% minority population in 1950.[4]

The City's Hispanic community is very diverse and is, in actuality, several different communities. According to the 1980 Census, Puerto Ricans represented 61.2% of the Hispanic population, a slight increase from 1970 when 59% of Hispanics were Puerto Rican.[5] In 1980, according to estimates, Dominicans made up 8.5% of the Hispanic population, Cubans 4.3%, Colombians 3.1%, Mexicans 1.6%, and "other Hispanics" 21.4%.[6]

Over the past decade and a half, however, immigration from South and Central America has increased, bringing with it significant changes in the makeup of the Hispanic community. In 1985, for example, 16,152 Dominicans settled in New York City, representing 18.1% of all new immigrants that year. During the same year there were significant numbers of Hispanics from other

Central and South American countries: Colombia (3,607); Ecuador (2,384); El Salvador (1,049); and Honduras (964).[7]

There are noteworthy differences between the various Hispanic communities. The Puerto Rican population is younger than other Hispanics. About half (49.8%) of Puerto Rican families with children are headed by women, compared to 34.9% for other Hispanics.[8] The labor force participation rate for Dominicans is almost equivalent to the overall rate for all New Yorkers, whereas labor force participation rates for Puerto Ricans are lower. The Community Service Society report, "Poverty in New York City 1980-1985", found that 47.5% of all Puerto Ricans could be classified as "poor", compared to 35.2% of other Hispanics.[9] According to the 1980 Census, the median income of Hispanics was $12,988, or 70.8% of the median income for all New Yorkers. The median income for Puerto Ricans, the largest of all Hispanic groups, was even lower, $8,181.[10]

Clearly these differences among the City's Hispanic communities require further analysis in order to develop appropriate policy responses that might narrow these disparities. For this reason, Mayor Koch has supported the research program to be undertaken by Hostos College and the Association of Puerto Rican Executive Directors that will study the reasons accounting for Puerto Rican poverty and provide comparisons between Puerto Rican and other Hispanic groups.

Hispanic New Yorkers can also be found in all of the City's five boroughs. Throughout this first Annual Report on Hispanic Concerns, reference will be made to community planning boards with "significant Hispanic populations." This term refers to those boards that, according to the 1980 Census, have populations that are thirty percent or more Hispanic. Using this definition, eight of the twelve community boards in the Bronx have significant Hispanic populations, as do five of the eighteen boards in Brooklyn, three of the twelve boards in Manhattan (and two more are between 25-30% Hispanic), and two of the fourteen in Queens. Overall, according to the 1980 Census, 18 of the City's 59 community planning boards have populations that are more than 30% Hispanic.[11] This geographic diversity reflects an economic diversity as well. Looking again at community boards with significant Hispanic populations, according to the 1980 Census, the mean annual income for Hispanics ranged from a low of $8,597 in Brooklyn's district 4 to a high of $16,716 in district 3 in Queens.[12]

The Hispanic community is also young. According to the 1980 Census, while the overall median age for New Yorkers was 32.6 years old, for Puerto Ricans it was 23.7 and for other Hispanic groups it was 26.7 years old. Almost half (46.4%) of all Puerto Rican males and 39.7% of Puerto Rican females were under the age of 20. Among other Hispanics, 39.3% of the males and 34% of the females were younger than 20 years of age.[13]

As New York City approaches the year 2000 a greater percentage of its citizenry will be Hispanic. During 1985, almost one in three babies born in New York City (28.4%) were of Hispanic background. In the Bronx, this figure reached one in two (51.5%). When combined with the continuing influx of Hispanics from other countries, these trends forecast a New York with a significant Hispanic population.[14]

The challenges posed by this next generation of Hispanic New Yorkers are enormous. These challenges are posed to every sector of the City -- to the City's educational system to provide adequate education to meet the demands of the workplace; to the economy to continue to provide sufficient jobs at adequate wages to support the aspirations of New Yorkers; to the agencies responsible for housing to provide adequate shelter; to the criminal justice system to assure a safe and civil City; to all City agencies to respond with sensitivity to people who have difficulty speaking English. The remainder of this Annual Report on Hispanic Concerns details the City's efforts to respond to the needs and aspirations of New York City's varied, growing and dynamic Hispanic community.

CHAPTER 1: IMMIGRATION

PROGRAM HIGHLIGHTS IN IMMIGRATION

On November 1986, President Reagan signed into law the Immigration Reform and Control Act of 1986 (IRCA), a law with enormous significance to the Hispanic community in New York City. This law has resulted in major changes in the basic immigration rules and regulations affecting all residents in this City. For the first time, many residents of New York City who are here illegally may be able to qualify for legal status if they apply before May 1988. Also for the first time, employers are now required to verify that all employees hired after November 6, 1986, have the appropriate work authorizations.

Because of the unique significance of IRCA during the course of the one-year legalization program, the Annual Report on Hispanic Concerns for 1987 contains a separate chapter on immigration issues. This chapter will discuss the impact of the new immigration law upon the Hispanic community and will describe some of the City's efforts to facilitate the implementation of the new law.

As was mentioned in the preface to this Annual Report, the Hispanic community is in fact several different communities. The new immigration law may have a different effect on each segment. According to the 1980 Census, Puerto Ricans make up 61.2% of the Hispanic community in the City. As American citizens, they are not affected by the legalization programs established by IRCA. It is feared, however, that Puerto Ricans and other Hispanic New Yorkers may be subject to discrimination by employers who believe that they can refuse to hire anyone who is Hispanic or who believe that Puerto Ricans need a special authorization to work in this country. The statute's prohibitions against national origin and citizenship discrimination are of particular importance to this community.

Certain segments of the City's Hispanic community will also be able to take advantage of four new programs which grant qualifying applicants legal residence status. Undocumented aliens from all countries are potentially eligible for legal status under the general legalization or "amnesty" program and the registry program. The general legalization program permits undocumented aliens who have resided unlawfully in the United States since before January 1, 1982 to qualify for temporary residence status. The registry program offers permanent residence

status to aliens who lived in the United States since before January 1, 1972. The Cuban community is affected by the Cuban-Haitian Adjustment program which grants permanent legal residence status to Cuban and Haitian "entrants", and to other members of these communities who have lived in the United States unlawfully since before January 1, 1982. Seasonal workers may be able to qualify for legalization under the Seasonal Agricultural Workers Program. Under this program, seasonal agricultural workers who were employed in the United States for at least 90 days between May 1985 and May 1986, can apply for temporary residence status.

The City of New York has committed itself to making the IRCA legalization program a success. As a city founded by immigrants, and a city whose life has been immeasurably enriched by the vision and energy of immigrants, New York City has reaffirmed its proud tradition by encouraging new New Yorkers to take advantage of the legalization opportunity.

There are, however, many obstacles in the way. The new immigration law is complex and hard to understand. The discussion above about the different programs and the ways they apply to different Hispanic communities demonstrates this complexity. Many undocumented aliens also possess an understandable and justifiable reluctance to present themselves to the Immigration and Naturalization Service, the same agency that has historically been given the mandate to deport them. The facts about the law and the procedures for applying for legalization have not been widely disseminated. The INS, which was given a mandate by Congress to widely publicize the new law, had scarcely begun this effort on the East Coast four months into the legalization year.

After nearly four months into the year-long legalization program, the results have been very disappointing. According to a report by the New York Community Trust, The Legalization of Undocumented Immigrants in New York City: An Initial Assessment, approximately 200,000 to 300,000 illegal aliens in the City are eligible for legalization under the IRCA. As of August 27, 1987, only 24,076 persons have applied for legalization at the Manhattan and South Long Island City legalization offices. If the Community Trust estimate is correct, and if applications continue at the current rate, only 24 to 36 percent of eligible aliens in New York City will apply for legal status before the amnesty program ends in May, 1986.

To facilitate and publicize the legalization program and to coordinate the efforts of the many private and governmental agencies that are working in this area, the City has taken a number of initiatives that are summarized below.

On May 1, 1987, shortly before the law took effect, Mayor Koch announced the formation of the Mayor's Immigration Action Advisory Committee and charged this group with the responsibility of coordinating the City's efforts to make the federal legalization program a success. Chaired by The Most Rev. Rene Valero, Chairman, and representing a wide spectrum of ethnic organizations, employer groups, immigration advocacy groups and legal services agencies, the Advisory Committee set for itself three major tasks: to mount a City effort to publicize both the legalization and employer sanctions sections of new immigration law; to make sure that legalization applicants have access to city documents, such as medical records and school records, that might support a legalization application; and to review the regulations and other legal issues that might be presented by the new law and INS policies.

Information Brochure

The public education subcommittee of the Advisory Committee has prepared an educational booklet summarizing IRCA's major provisions. What New Yorkers Want to Know About the New Immigration Law is a 33 page brochure that uses a question and answer format to explain the requirements of each legalization program established by IRCA, as well as each program's benefits and risks. It explains IRCA's anti-discrimination provisions and informs applicants of their rights and available remedies if they are defrauded by unscrupulous immigration practitioners. A complete list of QDEs, and other immigrant service agencies is provided at the end of the text.

The brochure includes a section that explains the new system of civil and criminal sanctions against employers who knowingly hire unauthorized aliens. It specifies the documents that employees must produce to verify their work authorization and the procedures that the employer must follow when requesting the necessary documentation.

It is the City's hope that the brochure will become a major educational tool for legalization applicants. At

present there are plans to print 10,000 copies in Spanish, 5,000 in Chinese, 2,500 in French, 2,500 in Haitian Creole. Already available are 10,000 in English. Brochures are being distributed to City agencies, libraries, schools, churches, community-based organizations, QDEs and other immigrant service centers.

Documentation

The subcommittee on documentation is working with City agencies to provide legalization applicants with agency service verification documents and employment records that could be used to document an applicant's continuous residence in the United States. Its first initiative is a 101 page document entitled, The New York City Immigration Manual: How to Obtain City Documents. The manual provides information on 54 City agencies and mayoral offices including the following: agency documents that may substantiate a legalization application; procedures for obtaining documents; the costs of obtaining copies; and the expected time-frame for document production. The manual lists the name and phone number of the person whom the agency has designated as its liaison on immigration issues. This person can be contacted if any questions arise with regard to document production.

The manual is a helpful information resource for applicants. It not only lists procedures for obtaining documents, but it can also give applicants ideas for additional documentation. The following are a few examples of documents that can be provided by the agencies: education records from the Board of Education; tenancy records from Housing Preservation and Development; senior citizen bus passes issued by the Department for the Aging; City hospital service records; and records of complaints made to the Department of Consumer Affairs. The manual also warns applicants that arrest records or probation records may disqualify them from legalization under the statute.

The manual has been mailed to over 300 immigrant service agencies, including QDEs and community-based organizations. It has been distributed in a loose leaf format which allows for the information to be periodically updated.

The City has encouraged utility companies to implement similar documentation policies for legalization

applicants. To date, Con Edison has been very receptive to the idea. Con Edison has volunteered to provide documentation that can help verify an applicant's residence. In addition, its Community Affairs Bulletin will include information concerning the new legalization program. This information will be printed in English during the month of September, and in Spanish during the month of October. Brooklyn Union Gas has agreed to inform its customers of the new immigration law by including an informational insert with its bills.

The Police Department is assisting legalization applicants in completing their applications by providing fingerprinting services at each precinct. All patrol precincts have qualified personnel available to take fingerprints Monday through Saturday from 10:00 a.m. to 8:00 p.m. for a $10 fee. Any alien requesting to be fingerprinted will be accommodated regardless of whether it is the applicant's neighborhood precinct. Applicants for legalization must present identification at the precinct and sign the fingerprint application in the officer's presence.

Public Education Conferences

The City has pursued other channels for outreach including the organization of two public information conferences. On June 24, 1987 a conference was held at John Jay Community College to provide community organizations with information and training about the statute. A panel of immigration attorneys and a representative of the INS made a detailed presentation about the law and its effects. In addition, there was an extensive question and answer period. Over 250 individuals from a wide cross-section of community- based organizations were in attendance. These individuals have served as an important networking base for disseminating information on the new law.

The City also organized an employer awareness conference on September 10, 1987. The conference was co-sponsored by the Association of the Bar of the City of New York, the New York Chamber of Commerce, the New York Association for New Americans, the Federation Employment and Guidance Service and the American Society for Personnel Administrators. Over 400 employer representatives attended the conference.

Attorneys specializing in immigration law addressed the conference, as well a representative from the INS.

On the agenda were issues such as employer compliance with new procedures, new recordkeeping responsibilities and the anti-discrimination provisions of the statute.

Immigration Hotline and Ad Campaign

On August 3, 1987, the Victim Services Agency (VSA) began operation of the New York City Immigration Hotline. The hotline's goal is to provide callers with basic information on the new law, and to make referrals to appropriate service agencies for individual assistance. The city-wide hotline will be a clearinghouse for the following information: organizations in the City that can provide legalization assistance, fees charged, location, hours and languages spoken; and available resources for immigrants including translation services, medical examiners and ESL programs.

The hotline number is (718) 899-4000. During the month of August, the hotline operated on a limited trial basis. Starting September 8, it began to operate from 1:00 p.m. to 8:00 p.m. on weekdays. The hours have been expanded as a result of joint funding by the City and the INS. Information is provided by bilingual counselors in French, Haitian Creole, Spanish, Chinese, Korean and Japanese. While not all languages will be provided on all days, callers will be advised of the days their language is spoken. During the hours the hotline is not operating, a multilingual tape will announce its hours and the days on which each language is spoken.

VSA's staff is well prepared to answer basic questions about the new law. All counselors received extensive training from the American Council for Nationalities Service including, detailed seminars on the new law, an orientation on available services and participation in simulated hotline exercises. Ongoing training sessions and close on the job supervision are also planned for counselors.

The VSA staff is monitoring the hotline carefully to ascertain the needs of its callers. A tracking system has been developed to determine the language of callers, the type of questions asked and the referrals made. This system will enable VSA to better serve its target population.

Starting in September the City, in cooperation with the INS, will launch a major publicity campaign that will target thousands of resident aliens who are eligible for legalization under IRCA. The major focus of the publicity campaign will be to inform aliens of the availability of the Immigration Hotline. Approximately 15,000 posters will be displayed on all New York City buses and subways publicizing the hotline number in four languages. The poster design has been completed through the pro bono services of a major New York City advertising agency. Copy for a coordinated radio and newspaper campaign is also being prepared. The advertising campaign for the hotline will provide the vital link between informing illegal aliens of their rights under the federal law and connecting them with the services being offered by QDEs and other immigrant service agencies.

Office of Immigrant Affairs

The Office Of Immigrant Affairs (OIA) was established in July, 1984 to develop policy in this area. OIA has taken an active role in providing technical assistance, coordination and policy analysis to municipal and non-governmental agencies during the development and implementation of IRCA. In one way or another OIA has assisted most City agencies in the actions each has taken in support of the legalization program.

OIA has also initiated independent projects in this area. First, OIA publishes a newsletter on the new law and other immigration issues that is distributed to approximately 3,000 city workers, community board officials, and other governmental and non-governmental service agencies. Second, OIA conducts monthly meetings for liaisons from City agencies and immigration service organizations. These meetings provide a forum for information exchange and have allowed the agency liaisons to gain expertise. Third, OIA has prepared and updated fact sheets on the new law that were mailed to about 400 ethnic and mainstream media organizations. The fact sheets have encouraged many media organizations to publicize important facts about the new law. OIA also serves as the City's liaison to the INS.

Anti-Discrimination Provisions

The New York City Commission on Human Rights (CHR) has reaffirmed its commitment to vigorously investigate

and prosecute all national origin complaints related to the new immigration law. CHR's first step in this area was to publish a "Notice to Employers and Employees Regarding Employment Practices Related to the New Immigration Law." The notice informs employers that "citizen only "and "green card only" hiring policies and practices are discriminatory under IRCA. The notice also discusses other human rights violations which may arise out of the new immigration law such as discrimination against Puerto Ricans, the confidentiality of personnel files, and the improper use of I-9 Forms. This information will be sent to all QDEs and to the press. CHR will also distribute the notice at employer conferences, workshops and other relevant forums.

CHR has also set up an internal system for tabulating citizenship complaints and forwarding them to the federal Office of Special Counsel. In addition it has helped to establish a network of twelve organizations throughout the City to track citizenship complaints and refer them to the federal government.

Fraud

The Department of Consumer Affairs (DCA) has been active in informing the public that complaints about unscrupulous lawyers and employers should be made to its office. A coordinated effort has been made to educate the public on this issue. DCA has attended conferences and has mailed announcements to organizations publicizing its role as it relates to IRCA. In addition, City sources, such as counselors on the Immigration Hotline, will refer people with fraud complaints to DCA.

CHAPTER 2: EDUCATION

PERSPECTIVES ON EDUCATION

Education has been the path to success for many ethnic groups that have settled in New York City. Hispanics, as other immigrants, consider education to be a way of securing financial stability and general well-being.

The importance of education is even more compelling in today's present economic climate. The Commission on the Year 2000 projects that nearly 90% of the 300,000 new jobs to be added to the City's economy by the year 2000 will require a high school diploma.[1] It appears that a high school diploma, at a minimum, and preferably degrees in higher education, are necessary requirements for Hispanics and all New Yorkers to reap the benefits of the City's robust economy.

The New York City Board of Education does not presently compute drop-out rates by ethnicity. (Although, in response to a major recommendation of the Commission on Hispanic Concerns, the Board will soon institute this practice.) According to overall statistics from the Board, almost one third of all students do not complete their high school education. According to a study by the Community Service Society, only 40.5% of Puerto Ricans in New York City and 47.9% of all Hispanics have completed high school. Clearly, in order to meet the minimum requirements for jobs in the next century, the goal of a high school degree must become a reality to a larger percentage of the Hispanic population.[2]

Educational innovations and dropout prevention strategies have contributed to decreasing the drop-out rate from 34.3% in 1984-85 to 30.7% in 1985-86. Bilingual education programs represent another effort to address the unique needs of the Hispanic student population. The 1980 Census reports that Spanish continues to be the primary language for 25% of Hispanics between the ages of 5 and 17. Currently, 9% of the student population at the Board of Education is eligible for bilingual education programs and 69% of that group are Spanish-speaking.[3]

English as a Second Language programs are yet another response to the educational needs of the Hispanic community. These programs, sponsored by the Board of Education, the City University of New York, and scores of community-based organizations, currently enroll approximately 20,000 adults in ESL classes, and over half of them are Hispanic.[4]

Finally, the institutions of higher education in this City are showing significant Hispanic enrollments. According to the 1986 CUNY Ethnic Census, one-fifth of the 182,222 students enrolled in senior and community colleges are Hispanics. Almost 30% of all community college students are Hispanic. City College, John Jay, Lehman, and the New York City Technical College have a Hispanic student population of 20% or more. Bronx Community College, Hostos, LaGuardia, and Manhattan Community College all have Hispanic student populations of 30% or more.[5]

Educational advancement is the key to success and prosperity. As the Commission on the Year 2000 indicated, "if poor New Yorkers are to be brought out of poverty, they must be properly prepared for the strong, but competitive economy of the future."

The following narrative highlights educational initiatives that have particular relevance to the Hispanic community and its educational aspirations.

PROGRAM HIGHLIGHTS IN EDUCATION

The Board of Education of the City of New York is the largest public school system in the nation. It manages close to 1,000 schools, serves approximately 939,000 students, and has an annual budget of $5 billion. Approximately one-third of the City's public school students are Hispanic.

A seven-member Board oversees the public school system's operations. Each borough president appoints one member and the Mayor appoints two members. They meet in the evening of the third Wednesday of every month to consider matters pertaining to the educational system under the Decentralization Law of 1969. In order to assist the Board in addressing the unique needs of the Hispanic student population, the Board president has announced the creation of a ten-member Hispanic Advisory Committee to the Board.

The Board hires a Chancellor as the chief executive officer for the system with direct responsibility over high schools and special education programs. The Chancellor has the power and duty to set and enforce minimum education standards, monitor the performance of schools, recruit and certify school personnel, provide in-service training and negotiate collective bargaining agreements with employee unions. The Chancellor also controls the construction, maintenance and repair of buildings and the procurement and warehousing of supplies.

Thirty-two elected community school boards are responsible for managing and supervising the City's elementary, middle and junior high schools which serve children in pre-kindergarten to the eighth or ninth grade. Each school board hires a superintendent who has the same powers over district schools that the Chancellor has over the high schools.

The New York City Board of Education does not have an independent source of revenue. It depends on the Board of Estimate to set its budget as part of the annual New York City budget. Recently, the City's renewed economic health has brought significant new reserves into the Board's operating budget. Today, one of every four city dollars are spent in education.

An issue of special concern to Hispanics is bilingual education. Numerous federal, city and state regulations establish required programs for Limited

English Proficient (LEP) students. For example, the Aspira Consent Decree of August 29, 1974, is an agreement between the Board of Education and Aspira of New York which specifies required bilingual programs for students "whose English language deficiency prevents them from effectively participating in the learning process and who can more effectively participate in Spanish". The 1977 Lau Plan was established pursuant to federal guidelines as a result of the U.S. Supreme Court decision in Lau v. Nicols. The Lau Plan sets out bilingual programs for students whose home language is other than English or Spanish. State regulations also establish standards for the use of funds made available to school districts with LEP students.

To meet these mandates, the New York City Board of Education developed the Language Assessment Battery (LAB), specifically designed to identify students entitled to bilingual/ESL programs. Those who score at or below the 20th percentile on the English LAB are entitled to receive bilingual services or ESL classes.

At least 9% of all students enrolled in the City's public school system are LEP students. Of these 86,131 eligible students, 79% attend elementary, middle or junior high schools in the districts and 21% are enrolled in the City's high schools. Spanish-speaking LEP students represent 69% of the total LEP population.

Approximately 87% of LEP students, are participating in required bilingual or ESL programs. The Board could not determine what services were provided to 5,929 students because a complete "program survey document" had not been submitted. Approximately 5,073 eligible students did not receive bilingual or ESL instruction during the past school year.

Seventy-one percent of the system's schools (695 of 974 schools) have Bilingual or ESL instructional programs through the services of 3,786 teachers. Nine school districts account for over 53% of the LEP student population. The budget utilized for district and centrally administered bilingual and/or ESL programs includes $80.6 million of reimbursable funds and $65.4 million of tax levy funds.

The Board's Office of Bilingual Education have actively monitored bilingual/ESL instruction in the City. During the 1986-1987 academic year, the office made efforts to:

1) improve databases for LEP students,

2) ensure compliance with the Aspira Consent Decree and Lau Plan,
3) ensure equal educational opportunities for LEP students,
4) intensify staff development and technical assistance to upgrade instruction,
5) explore recruitment of bilingual and ESL teachers, and,
6) increase financial resources for bilingual/ESL services.

Specific activities on each of these areas are included in the 1986-87 Chancellor's report, "The New York City Action Plan for Upgrading, Monitoring, Management and Programs for Limited English Proficient Students".

Hispanics are also concerned about overcrowding in District 6 in Manhattan, District 10 in the Bronx and District 24 in Queens. Many of the recommendations outlined in the report issued by the Mayor's Commission on Hispanic Concerns deal with construction of classroom space in these three districts. In addition, many school buildings are aging and are in need of repairs.

The Board of Education has responded to the need of school overcrowding and school building repairs. The Board and the Mayor have recently announced plans to build eight new schools in District 10 with a capacity for 6,300 students; five new schools in District 6, with a capacity for 4,800; and three new schools in District 24, with a capacity for 3,300 students. When combined with projects currently underway, a total of 10,500 additional seats will be provided in District 10; over 9,000 in District 6; and over 6,000 in District 24. In September 1986, the Board initiated the Handyman Program to give local school officials the ability to accomplish minor repairs with a minimum of delay. Since then, the program has been expanded through the allocation of funds from the Municipal Assistance Program. An additional $16.1 million was allocated in FY 1987, and $75 million has been allocated in FY 1988 for use over a three year period.

STATUS REPORT ON INITIATIVES IN EDUCATION

DROPOUTS

Recommendation 1. That the City's dropout rate be tabulated according to race, ethnic origin and language spoken at home, in order to provide the Board of Education with sufficient information to tailor dropout prevention programs to the specific needs of Hispanic students.

The Chancellor is implementing a plan to tabulate the dropout rate by ethnicity.

Data on the effect of the Dropout Prevention Program (DPP) on native Spanish speakers will be available from the Dropout Prevention Program Evaluation being performed by Teachers College which is to be completed by the end of 1987.

In Fall 1987, ethnic data will be collected for each child entering the school system and high schools as identified by parents. Retrospective ethnic data will also be collected for students who dropped out last year (1986-87).

In Spring 1988, the dropout rate by ethnicity and an analysis of the 1988 incoming high school class by ethnicity will be available.

Recommendation 2. That the Board of Education establish a panel composed of concerned parents and educational experts to work with an independent consultant to evaluate the bureaucratic procedures that impair a principal's ability to resolve problems expeditiously. The panel's objective would be to recommend changes to streamline procedures and allow principals more flexibility to act on local school concerns.

The Board established the Task Force on Professionalism, co-chaired by Donna Shalala and Michael Timpane, presidents of Hunter College and Columbia University's Teachers College, respectively. The task force will help design ways to increase the autonomy and professional role of teachers and administrators. It will also identify strategies to encourage, motivate and retain teachers and administrators within the system through improvement in physical environment, compensation, and responsibility.

Other task force members include: Alonzo Crim, superintendent of the Atlanta public schools; Diana Caballero, president of the Latino Educational Roundtable; Carmen Russo, principal of Morris High School in the Bronx; Bernard Gifford, dean of the Graduate School of Education at the University of California at Berkely; Sandra Feldman and Ted Elsberg, presidents of the public school teachers and supervisors unions, respectively.

The group has met twice, in May and in July. The task force will prepare a plan, addressing fiscal and budget requirements, for the transition to, and effective implementation of major task force recommendations within a one year time period. Beginning in September 1987, the Task Force will meet monthly.

Recommendation 3. That the Chancellor create incentives for student retention by offering concrete rewards for schools that improve their retention rate. Incentives such as cash bonuses for special equipment or activities should be considered.

This recommendation is being implemented in various ways. Students as well as schools are the recipients of incentives and rewards for improved performance. The Chancellor's three year plan for dropout prevention permits schools which have improved their retention rate to continue to receive additional resources and to maintain their eligibility for New York State Attendance Improvement/Drop-out Prevention Programs (AIDP), whereas previously they would have been ineligible for assistance once attendance rates improved to a certain level. The same philosophy has been applied, at the high school level, to student participation in the newly instituted AIDP-funded Part-Time Jobs Program.

The Part-Time Jobs Program has been annualized for school year 1987-88. The Program uses the services of 21 community based organizations (CBOs) to serve 2,500 students in 24 high schools across the city. Students who have been or currently are AIDP or DPP participants, and who have demonstrated improvement, are given priority status for participation in the Part-Time Jobs Program.

The dropout rate in the 26 high schools with AIDP programs improved from 12% in 1984-85 to 10.3% in 1985-86. The dropout percentage in the ten high schools with Dropout Prevention Programs improved from 15.7% in 1984-85 to 11.2% in 1985-86. In the ten DPP high school attendance improved from 73% in 1984-85 to 73.2% in 1985-86. In the 26 AIDP high schools, attendance improved from 75.4% in 1984-85 to 75.9% in 1985-86. (For

the 1986-1987 school year, attendance rates at AIDP high schools will be available in late September. Dropout rates will be available in Spring 1988.)

In the middle schools, "points" are awarded to student program participants based on daily attendance, grades, behavior and involvement in extended school day programs. Certificates and/or trophies are awarded at public activities such as school assemblies so that deserving students are recognized while others are motivated. Students maintaining high levels of improved performance are recognized by participation in special outings.

Recommendation 4. That the Board of Education seek to eliminate lifetime principal tenure and review principals' contracts every four years for the purpose of removing principals with unsatisfactory performance. That the improvement of a school's student retention rate be a fundamental element of the review.

The Board President and the Chancellor have endorsed the concept of greater accountability for principals. The Board of Education and the Council of Supervisors and Administrators (CSA) are discussing the issue of removal of principals for unsatisfactory performance in an attempt to reach an agreement that could be used as the basis for draft legislation. The Board is also working on an alternative arbitration process to replace the complex trial process.

Recommendation 5. That the Board of Education and the City target funds for the expansion of the Mentoring Program. That the program make a concerted effort to recruit more Hispanic students and mentors.

The Mentoring Program has been moved to the Office of Collaborative Programs within the High School Division so it can be coordinated with other programs of similar nature. The Program, a joint effort of CUNY and the Board of Education, has been redesigned for the 1987-88 school year. Although there are no plans to increase funding, the redesign will result in an increase in the number of students served.

The Office of Collaborative Programs was created in January 1987 to improve programs designed to link business, institutions of higher education and high schools. Since then, companies in the Join-A-School Program have included mentoring programs and others have expanded their mentoring activities. The Office of Collaborative Programs has, and will continue to enlist the participation of high schools in mentoring programs

with an emphasis on increasing involvement of Hispanic students. During the 1986-1987 school year approximately 40% percent of the high school students participating in the program were Hispanic and the Board will strive to maintain, and if possible increase this number. CUNY mentoring coordinators will be asked to encourage their Hispanic students in social services programs to select mentoring as a means of fulfilling their work requirements.

The Mentoring Program has specifically targeted services to Hispanic students at Seward Park High School by utilizing the resources of LOISADA Employment Project. Additionally, the Mentoring Program has provided technical assistance to the HACER MADRINAS mentoring project which focuses its efforts on female Hispanic middle school students. Assistance has been provided in the areas of mentor training, project planning and evaluation.

Recommendation 6. That the Board of Education and the Mayor aggressively recruit the assistance of the media for:

- Advertisements and programs that stress the importance of parental involvement in a child's education and that inform parents of possible methods of participating with their children in school activities.
- Public service announcements on television and radio during prime viewing hours that reinforce the importance of Hispanic students obtaining a high school diploma.
- Production of a bilingual documentary to underscore the dropout crisis among Hispanic youth.
- Creation of a bilingual campaign along the lines of ABC Television's "An American Portrait," to honor New York City's Hispanic students, faculty and staff members.

The Board plans to approach the New York City Partnership and the Association for a Better New York (ABNY) during the 1987-88 school year to ask for support for a "Stay-in-School" media campaign.

Two important new initiatives will help to focus requests for support:

- The Chancellor, in March of 1987, created a Committee on Parental Involvement that included in its membership representation from parents organizations, the Board of Regents, the State

Education Department, advocacy groups, collective bargaining agents and the Board.

The Committee has prepared a proposed policy statement and a draft Chancellor's Regulation for review and approval by the Chancellor and subsequent submission to the Board of Education for action. When adopted, the Chancellor's Regulation will provide for far greater collaboration between homes and schools.

- The Comptroller has made $800,000 available for Parental Involvement Programs. An RFP will be issued to identify schools, districts and not-for-profit organizations that will generate programs to enhance home-school interactions and to improve parent-child relationships in ways that impact positively on student achievement.

Once the Board policy and the Chancellor's Regulations are adopted, and the programs funded by the Comptroller are operating, the Partnership and ABNY will be approached. Requests for assistance with a public relations campaign can then be targeted to supplement and support these citywide coordinated initiatives.

Recommendation 7. The Board of Education contract with community-based organizations to organize school outreach efforts to the Hispanic community in order to motivate parents to become more involved in their children's education. That this outreach effort focus on personal contacts such as home visits and telephone conversations.

An RFP will be issued to "qualify" Community Based Organizations (CBOs) for possible service to middle schools and high schools receiving AIDP funding. The RFP will be targeted to CBOs that serve Hispanics and will include attendance outreach services that focus on involving parents in their children's education.

Outreach objectives are being served through current contracts with 17 CBOs which provide dropout prevention and retrieval services, and the 21 CBOs involved in the Part-time Jobs Program. These activities include outreach to families to involve parents in student retention efforts. These outreach efforts include written communications, telephone calls, home visits, and in some cases, parent workshops.

Of the 38 extant CBO contracts authorized for renewal, 16 have been submitted for registration and the remainder are developed and awaiting execution. These

contracted programs serve Hispanic communities very successfully. Of these, two Hispanic organizations are currently under contract to provide services to high schools: the National Puerto Rican Forum, Inc., provides part-time job services to Monroe High School in the Bronx; and ASPIRA provides dropout prevention services to Eastern District High School in Brooklyn.

Heavy emphasis is placed on services to Hispanic students by the following dropout prevention contractors: ASPIRA, FEGS, Urban Adventures and Victim Services at Eastern District High School; by Grant Street Settlement at Bushwick High School; by Cathedral of St. John the Divine/Manhattan Valley and Green Chimneys at Brandeis High School; by Federation of Protestant Welfare Agencies at Morris High School; by FEGS at South Bronx High School; by Northwest Bronx Community and Clergy Coalition at Taft High School and by Pius XII at Theodore Roosevelt High School. Recently initiated programs by Part Time Jobs contractors will emphasize services to Hispanic students as well. Banana Kelly Community Improvement Association at Adlai Stevenson High School; the National Puerto Rican Forum, Inc. at Monroe High School; and, the Washington Heights and Inwood Development Corporation at George Washington High School are examples of locations where emphasis of service is placed in largely Hispanic communities.

In addition, the Chancellor has established a Parent Involvement Committee of representatives of the Board, unions and advocacy groups which will recommend ways to motivate parents to become more involved in their children's education. (See Recommendation 6 above.)

Recommendation 8. That the salaries of alternative high school principals be raised to the level of other high school principals. That the Board of Education eliminate internal policies which stigmatize alternative schools.

Alternative high school principals manage schools which are significantly smaller in size than other high schools; from 250-700 students as compared with 2,500-5,000 students in regular high schools. The Chancellor, therefore, cannot support raising the salaries of alternative high school principals to the level of other high school principals.

Recommendation 9. That the number of alternative schools be increased to meet the needs of those seeking admission. That college collaborative schools be established at each CUNY campus and that the Board of

Education and the City seek to establish these schools at private colleges and universities throughout the city.

The Board agrees that alternative high schools play a valuable role in our educational system. The Board has expanded the number of alternative high schools to include one functioning with Brooklyn College and an additional one affiliated with, and housed at, LaGuardia Community College. Brooklyn Academy, located at Brooklyn College opened in February, 1986. In September of 1986, International High School was developed at LaGuardia Community College to enhance the learning opportunities and options for bilingual students. International High School works with Middle College at LaGuardia Community College.

In February, 1987, the Hostos-Lincoln High School opened at Hostos Community College and the University Heights High School opened on the campus of Bronx Community College. Both schools are serving large Hispanic communities. Additionally, there are other collaborative relationships with CUNY. The Mentoring Program, another CUNY-Board of Education collaborative effort, incorporates 22 projects at eighteen of the CUNY units and serves approximately 600 ninth and tenth graders.

The "College Now" project, a third major collaboration, began at Kingsborough Community College in 1984 and is now working with 13 high schools. The project identifies academically able eleventh graders and allows them to take college level courses at their high schools. Project Care, operated by NYC Technical College, performs similar services for students at Westinghouse High School.

TEENAGE PREGNANCY

Recommendation 10-12. That the Board of Education move forward in its determination to decrease teenage pregnancy in New York City through effective sex education. That the Board of Education closely monitor the implementation of the sex education curriculum which it has recently made compulsory for all public school students. That the Board of Education commence bilingual outreach efforts to educate parents on the purpose of its sex education program.

The Board voted to mandate Family Living Including Sex Education in all schools for implementation in September, 1987. Community School District Advisory Councils are now in place in all 32 Community School Districts and all districts have submitted implementation

plans. Each school has a school advisory council in place.

To meet parent needs, an extract of the Family Living Including Sex Education Guide has been prepared in Spanish. Spanish translators are present at most school level meetings.

Staff development was provided to over 600 teachers and supervisors to prepare them for implementation of the Family Living Including Sex Education curriculum.

Recommendation 13. That family planning services, including individual counseling and referrals, be made available to all junior high school and senior high school students at their schools.

On June 17, 1987 the Board authorized the Chancellor to extend agreements with health providers conducting adolescent high school health programs in designated high schools as part of a school health program sponsored by the New York State Department of Health. Reproductive health care is an important service offered by the clinics.

The members of the Board have indicated great interest in expansion of comprehensive health services across the entire school system. A majority of the members endorse inclusion of family planning services as a crucial component of comprehensive health care.

There are eleven clinics now operating in high school locations, ten in middle schools and 38 in elementary schools. In addition, the school-based clinics at Martin Luther King, Jr. and Louis D. Brandeis High Schools were fully staffed to service students from July 1 - August 7, 1987.

Recommendation 14. That schools: allocate sufficient time for health resource coordinators, and other health professionals; ensure that adequate facilities are made available for private consultations; and facilitate the dissemination of information regarding available health services to students.

The Board welcomes the Department of Health's participation in providing services to students, but the lack of space in some buildings has affected regular programs as well as complementary services. At present 156 Health Resource Coordinators work in the school system. The Coordinators have been placed in schools with dropout prevention programs where students are most "at risk" and most acutely in need of such services.

Recommendation 15. That the City fund day-care centers in those schools with the highest rate of teenage pregnancy.

Since 1980, 21 day care centers have been opened. Most of these facilities are in school buildings and a few are in drop-off centers in proximity to target schools. Five of these centers were opened in February of 1987. In addition, the Mayor has announced that nine day-care centers will be opening in Board of Education facilities during FY 1988.

A survey of High School Superintendents revealed that nineteen high schools are interested in opening facilities. Sites are being prioritized according to need -- based on the number of parenting students in the school and the lack of alternative facilities near the school -- and the adaptability of the school structure.

The Division of School Buildings (DSB) is reviewing nine priority sites for adaptability as day-care centers. Sites which will require additional physical modification will be rolled over to fiscal year 1989.

Subject to Board approval, a comprehensive survey of pregnant and parenting students will be done during the 1987-88 school year for use in future prioritization of sites.

BILINGUAL EDUCATION

Recommendation 16. That the Board of Education combine an aggressive and continuous media campaign to recruit bilingual teachers on college campuses, city high schools, in community-based organizations and in all accredited universities in Puerto Rico and Spanish-speaking countries.

As part of the ongoing effort to recruit bilingual personnel, intensive efforts to recruit, train and certify candidates have been conducted on-site in Puerto Rico. As a result, the Board obtained approximately 466 applicants which include bilingual school psychologists, guidance counselors and teachers. Of these 466 applicants, 234 applicants took the examination; 173 applicants passed the examination and 120 applicants accepted positions. Additional personnel are expected to accept positions during this coming year.

A special emphasis of the Puerto Rican recruitment effort has been an active search for bilingual school

psychologists and other support personnel. The Executive Director of the Division of Personnel has held meetings with the Puerto Rican Labor Department Commissioner for the purpose of interesting skilled Puerto Rican craftspersons in becoming occupational skills instructors.

A similar recruitment effort began in the Dominican Republic in April. In July, a Division of Personnel team met with 35 people who passed the licensing examinations to offer them teaching assignments and to encourage their participation in graduate programs in Santo Domingo that will better prepare them for teaching in New York City.

Recruitment to Colleges and Universities in the metropolitan area consisted of approximately 50 visits to 26 sites. In addition, interaction with Community Based Organizations included the National Puerto Rican Forum, the Puerto Rican Educators' Association and the Education and Job Information Center of the New York Public Library.

Recommendation 17. That the City and Board of Education initiate a pilot program to provide temporary housing for teachers from Puerto Rico and Spanish-speaking countries.

The Board was able to secure temporary housing for teachers at Sloan House. However, the problem of affordable housing is ultimately beyond the scope of the Board of Education.

Recommendation 18. That the United Federation of Teachers' Career Ladder Program, which pays paraprofessionals to pursue a teaching degree within the CUNY system, expand its Hispanic participation.

The Board is supportive of this program and has increased the allocation of funds for paraprofessionals to the Office of Bilingual Education. They report that 50% of the participants went on to become teachers.

In the 1986-87 school year, the Office of Bilingual Education's Bilingual Pupil Services added thirty-five (35) paraprofessionals to their program as part of the Chancellor's LEP Action Plan and an additional twelve (12) were hired through allocation adjustments by the Office of Funded Programs. The total number of paraprofessionals in this program alone is now ninety-two (92), assigned to seventeen districts. Sixty-six (66) of the total number of paraprofessionals are Spanish speakers. The program is proposed to continue at this level during the 1987-88 school year. Bilingual Pupil

Services (BPS) is a program which provides paraprofessionals who work directly with children in the participating districts. Every paraprofessional must take part in staff development programs provided by the staff of BPS in addition to attending a college. Fifty percent (50%) of the paraprofessionals who participated in this program in the past have gone on to become teachers.

Bilingual Pupil Services had 10 Hispanic graduates in June who have been assigned to teaching positions for September, 1987. Colleges have been contacted for the purpose of recruiting additional candidates.

Recommendation 19. That the Board of Education establish a formal exchange program with teachers and student teachers in Puerto Rico and Spanish-speaking countries where there is a shortage of English teachers.

The Board of Education's Division of Personnel obtained an agreement with the New York State Education Department making it possible for qualified teachers and other bilingual personnel from Spanish-speaking countries to receive temporary certificates to work in New York for up to two years. This agreement could smooth the way for the establishment of a formal teachers exchange program. Thus far, it has facilitated the recent recruitment of bilingual personnel (see Recommendation 16 above).

Recommendation 20. That the Board of Education closely supervise teachers providing bilingual classes without a license in that area and provide incentives for certification.

The Board of Examiners is preparing to administer ancillary exams in Bilingual Education and ESL.

The Office of Bilingual Education (OBE) has a staff development program to assist insufficiently prepared teachers to be effective and has recently increased monitoring capabilities. OBE received funding from the State Education Department to provide additional staff development for bilingual/ESL teachers and other teachers working with LEP students in grades 3-9. Teachers of grades K-12 have also taken part in staff development activities offered by the Office of Bilingual Education. The Board is currently seeking state funds to continue staff development programs with particular emphasis on bilingual/ESL math and science programs for grades K-12.

Recommendation 21. That the Board of Education strictly adhere to its "Action Plan for Upgrading, Monitoring, Management and Programs for Limited English Proficient Students" to enforce uniform compliance with the legal requirement that every entitled limited English proficient student receive a bilingual education or English as a second language instruction.

Time lines and up-dated reports to assure compliance with the Action Plan have been developed. These reports are shared with the First Deputy Mayor.

The 1986-87 Chancellor's Report on the Action Plan was published in July. In 1986-87, new initiatives to ensure compliance included: (1) the LAB Task Force (Language Assessment Battery) that monitored 100 selected schools, (2) submission of district compliance plans, and (3) the selection of priority districts for possible sanctions. (See Recommendations 22-23 below.)

The Office of Bilingual Education (OBE) has placed greater emphasis on districtwide compliance analyses and reviews through expansion of the information reported by OBE in "District Profiles." This information will assist schools in developing and implementing their compliance plans.

Efforts to ensure compliance during the 1987-88 school year will focus on continuing and improving upon these initiatives in conjunction with the Chancellor's Support and Intervention Plan. This plan includes four phases: monitoring and analysis; collaboration with superintendents; technical assistance and support; and, intervention.

Recommendations 22-23. That the Board of Education target those school districts and high schools with the poorest records of providing bilingual education for immediate evaluation and school visits. That the Board of Education institute a system of vigorously enforced sanctions against those schools or districts which do not comply with the requirement that every entitled limited English-proficient student receive bilingual education or English as a second language instruction.

Five high schools and six districts were targeted and appropriate action was taken to ensure that programs were provided. In the case of one school district which was recalcitrant, the Chancellor stated his intention to supersede the administration if corrective actions are not taken immediately. Among the five high schools, three were asked to rewrite and modify their plans of action. Subsequently, the Executive Director of the

Division of High Schools asked one principal to comply on threat of removal. He complied.

In September, 1987 the six districts will be monitored to ensure that all plans are being fully implemented. The Office of Bilingual Education will also target additional districts for similar review.

Recommendation 24. That the Board of Education increase the monitoring staff of the Office of Bilingual Education to allow the office to conduct thorough yearly evaluations of each school.

The Board is seeking additional funding for increased monitoring capabilities. As recommended by the Commission, the monitoring staff of the Office of Bilingual Education was increased by two staff members. Collaboration with the monitoring Task Force of the Office of Funded Programs and additional OBE staff has already made it possible to monitor many more schools.

Recommendation 25. That the Board of Education review and eliminate high school admissions criteria that discriminate against limited English proficient students.

The Board has revised its High School admissions procedures to ensure that the admissions criteria do not discriminate against LEP students (as outlined in the March 1987 City Response). The revised procedures were applied to 1987 summer school admissions with good results. Published results will be available in October 1987.

The eight Educational Option high schools and five single unit trade vocational high schools will be implementing programs in September 1987 as set forth in the revised High School admissions procedures for LEP students. The Board of Education requested and received grants to provide for additional bilingual and ESL instruction and assignment of bilingual paraprofessionals to these 13 sites.

An important programmatic activity of the School and Business Alliance (SABA) this year will be to focus on the needs of newly admitted Limited English Proficient youngsters at five Educational Options High Schools.

SABA will sponsor staff development activities to sensitize school personnel to the needs of high-risk Hispanic Youngsters; teachers trained by SABA staff and consultants will conduct five, two-hour orientation

sessions for Hispanic and other minority students to introduce them to their new school environment. Students will also have an opportunity to discuss careers related to the particular fields featured at each high school. SABA will recruit representatives from private industry to participate in the orientation sessions of these youngsters. Finally, parents of Hispanic and other minority youngsters will be invited to participate in sessions designed to inform them of school policies and programs which affect their youngsters. There will be every effort made to translate school notices and important information into Spanish and the native languages of other minorities.

Recommendation 26. That a yearly report be issued by the Board of Education on the progress made in creating bilingual vocational education programs. That the yearly report include plans of action to remedy any deficiencies.

This recommendation is met through two BOE submissions to the New York State Department of Education:

1) The Occupational Education Data Survey for Fiscal Year 1987. This survey reported that 20,394 Limited English Proficiency (LEP) students are enrolled in high school occupational education programs, comprising 14.6% of the total occupational enrollment of 138,989. (Compared to 18,968 LEP students, 13.9% of total, enrolled in 1986.)

2) The Annual Update, 1987-88, to the Long Range Plan for Occupational Education (submitted March 15, 1987). This update contained: the FY 1986 third-party evaluation findings for the Board's citywide Vocational Education Act (VEA) LEP program; FY 1987 policy and initiatives with regard to Title VI issues; FY 1988 program plans which significantly expand student access and strengthen instructional supports.

In addition to annual reporting, the Board will provide updates on significant initiatives as they occur. Two milestone dates should be noted: 1) 9/30/87: FY 1987 VEA program evaluation; and, 2) 2/15/88 (tentative): FY 1989-91 BOE Comprehensive Occupational Education Plan and status reports.

OVERCROWDING

Recommendation 27. That the Board of Education accommodate projected increases in student enrollment and additional space needs resulting from educational initiatives by expediting the construction of five permanent schools in District 6, four permanent schools in District 10 and two permanent schools in District 24.

The Board of Education and the Mayor consider the alleviation of school overcrowding to be a major priority. There is a three-pronged approach being used in overcrowded districts: (1) The Ten Year Capital Plan, (2) Mini-schools for the short-term, (3) new construction in the long-term and aggressively pursuing leasing space.

In addition to the capital projects funded by the fiscal year 1987 Budget, the Board has secured funding and sites for:

Manhattan District 6 - 5 new schools, capacity 4800
Bronx District 10 - 8 new schools, capacity 6300
Queens District 24 - 3 new schools, capacity 3300

In District 6, the $110 million plan will add 4,800 seats through the construction of 5 new schools at four sites. When combined with the at least 4,800 seats being added at schools already scheduled for construction, these projects will provide over 9,000 additional seats in the Washington Heights/Inwood section of Manhattan.

In District 10, the $300 million dollar plan will add over 6,000 classroom seats through the construction of 8 new schools. When combined with existing school construction, at least 10,500 additional seats will be provided in schools serving the Tremont, East Tremont, University Heights, Kingsbridge and other neighborhoods of the Bronx.

In District 24, three new elementary or junior high schools will be built over the next five years at the cost of $75 million, adding 3,300 seats. Projects which are already underway, or recently completed, are adding another 3,000 seats. Two of the three sites have been identified and approved, in two neighborhoods in Elmhurst.

These sites were selected by the Inter-agency Task Force on School Construction chaired by Deputy Mayor Esnard which consists of the Division of Real Property, the Department of City Planning, the Office of Management and Budget, the Board of Education, and the Office of Youth Services. (See Recommendation 34). To speed the

construction process, the design of the new buildings will begin while the site acquisition process is underway. This is expected to cut at least two years from the usual seven-year construction period for a new school.

A monthly management report for mini-schools is submitted to the First Deputy Mayor. Securing design approval for mini-schools from the Arts Commission was a significant development in the effort to ease school overcrowding.

As of August, 1987, the status of the capital projects in these three districts is as follows:

Projected Dates for Occupancy of Capital Projects

District 6	Occupancy	Capacity
PS 173-Addition	3/89	293
PS 152-Addition	9/89	290
34th Precinct-Conversion	9/90	400
PS 153-Addition	12/90	300
PS 128-Addition	FY 91	300
PS 48	9/90	700
IS 218-New Building	9/91	1,800
PS 215B-New Building	2/93	600
PS 128X-Mini School	10/88	150

District 10*	Occupancy	Capacity
PS 7-Addition	3/89	248
PS 8-Addition	1/89	248
Industry League Building	7/91	250
IS 206A-New Building	9/93	1,200
IS 206C-New Building	9/93	1,200
New Bldg.	2/95	1,200

* The capacity of projects currently in the design and/or construction phase will be increased to meet district needs.

District 24	Occupancy	Capacity
Mini Schools (5)	87-89	1,500 +
PS 143-Addition	3/90	500
PS 199-Addition	3/90	300
PS 14-Addition	9/91	300
PS 89-Addition	9/91	400
PS/IS New	2/94	1,800

Recommendation 28. That the Board of Education and the City appoint an independent advisory committee composed of concerned parents, educational experts and representatives from the construction industry and financial community to assess the adequacy of the Board of Education's capital funding and to recommend plans for future needs. The committee will also consider and recommend alternative solutions to school overcrowding such as: redrawing school district boundaries, extending the school calendar and extending the school day.

The Board of Education has formed the Task Force for Capital Financing and Construction, which has been meeting on an on-going basis to review the draft of the Ten Year Capital Plan. The Task Force includes educators, government officials, and representatives of the financial, business, and construction industries. Its co-chairs are Joseph Flom, a partner in the law firm of Skadden, Arps, Slate, Meagher and Flom and Dr. Robert L. Polk, Executive Director of the NYC Council of Churches and Chairman of the CUNY Construction Fund. Other members include J. Max Bond, a partner in the firm of Bond Ryder James Architects and former member of the New York City Planning Commission; Deputy Mayor Robert Esnard; Connie Mauro, president of Integrated Management Group, a commercial relocation firm; Dennis McSpedon, president of Local 3, IBEW; and, Annmarie Walsh, president of the Institute for Public Administration and member of the board of the Regional Plan Association.

The Task Force will submit its recommendations within one year.

Recommendation 29. That as an interim solution to overcrowding, the Board of Education reassess its prior rejection of school playgrounds, parks and other areas for the construction on mini-schools in Districts 6, 10, and 24. That creative solutions to the space problem be aggressively pursued. For example, two-story mini-schools can be built in smaller lots and adjacent streets can be used as play areas where playgrounds are used for construction.

The Board continues to propose two-story mini-school projects where appropriate and feasible. Consultants have been hired to develop mini-schools and explore various innovative design options which will address the need for additional capacity while minimizing the impact on existing playground space.

To date, the following mini-schools are scheduled for construction: PS 11Q in District 30; PS 235K in

District 18, PS 47Q in District 27, JHS 125Q in District 24, JHS 75Q (3 stories) in District 24.

Recommendation 30-31. That the Office of Management and Budget approve bonus incentives for the completion of construction before the contracted deadline of schools in Districts 6, 10, and 24 as a mechanism for expediting the construction of new schools, the Office of Management and Budget approve bonus incentives for the completion of construction before the contracted deadline of schools in Districts 6, 10, and 24.

Bonus/penalty provisions have been requested in prior contracts and will be requested in these contracts. The Mayor's Office of Construction and OMB have agreed to work with the Board of Education to develop appropriate bonus/penalty incentives for the construction of schools in the overcrowded districts. Bonus incentives have been incorporated into all mini-school construction starts. These incentives and penalties will be further considered in the context of the Inter-agency Task Force on School Construction being chaired by Deputy Mayor Esnard. (See Recommendation 34.)

Recommendation 32. That the construction of P.S. 48 in District 6 be expedited by increasing the number of Board of Education architects assigned to its design.

The Board of Education expects to meet its schedule for this project. It has requested that all tenants at the P.S. 48 site be removed in preparation for demolition and the Division of Real Property has complied. The deadline for bids on the demolition contracts was September 3, 1987. The site should be cleared within the next three months. The construction of P.S. 48 is to start October, 1988 for completion by 1990.

The Board of Education has dedicated a full time team of four (4) architects for the design of this school. In addition, a structural engineering team will also be dedicated to this project on a full time basis.

Recommendation 33. That sufficient funds be immediately allocated to convert the old 34th Police Precinct into a school for 600 students within the next 15 months. Close monitoring of this project by the Mayor's Office of Construction will be required to ensure that the renovation proceeds on schedule. The Board should consider turning the project over to a private developer on a "turn-key" basis.

The Board of Education continues to meet its schedule for this project. A consultant is currently working on the preliminary plans. Actual design will begin in the fall of 1988 and construction will be completed by the fall of 1990.

Recommendation 34. That the Mayor's Office of Construction establish an inter-agency working group of the relevant City agencies to monitor the construction of all permanent schools and mini-schools in District 6, 10 and 24 to ensure that construction proceeds on schedule.

In early 1987, at the Mayor's request, Deputy Mayor Esnard convened the Inter-agency Task Force on School Construction to address school space needs and to expedite the construction of permanent schools and mini-schools in the over-crowded districts (see also Recommendation 27). The Task Force consists of representatives of the Board of Education, the Mayor's Office of Construction, the Office of Management and Budget, the City Planning Commission, and the Office of Youth Services.

The Task Force has made significant progress in the following five areas:

1. Amended previous policy to allow school design to proceed simultaneously with site acquisition, thus reducing construction time by two to three years.

2. Conducted the needs assessment, survey and site selection in the most crowded school districts in the city. The Task Force has identified all necessary sites for new school construction in Districts 6, 10, and 24. The Task Force is currently working with the City Planning Commission and Department of Environmental Protection to expedite the acquisition, through ULURP, of these sites. The Task Force will now turn to other crowded school districts, including one or more in Brooklyn. (See also Recommendation 27.)

3. The Board received approval to develop "cookie cutter" prototype schools for the first time in over a decade.

4. The Board is prepared to use its powers of condemnation to acquire sites, also for the first time in many years.

5. The Task Force is currently working with the City Planning Commission and the Department of Environmental Protection to speed up the normally lengthy land use review process (ULURP).

ENGLISH AND GED CLASSES

Recommendation 35. That the Board of Education make a concerted effort to expand its contracts with community-based organizations in Hispanic communities to provide adult English as a second language instruction and graduate equivalence diploma courses at public schools.

English as a Second Language

English as a Second Language (ESL) instruction, as well as Basic Education (BE) and some native-language Basic Education instruction, is provided by the Board of Education, City University of New York, community-based organizations funded through the Community Development Agency, and public libraries. Students can work with tutors, in small groups, in classes or on their own with a computer or cassette tape. These agencies receive city, state and federal funds through the New York City Adult Literacy Initiative which targets adults reading, writing or speaking English below the 8th grade level.

In FY 1988, the City's contribution to the Adult Literacy Initiative will total $13.5 million. The City's commitment began in 1984 with the allocation of $35 million of Municipal Assistance Corporation (MAC) funds over a four-year period. In FY 1987, an additional $4.3 million in MAC monies was allocated to further expand the program. The FY 1987 expansion, resulting in the creation of over 132 new classes, including 93 ESL classes, will be maintained in FY 1988.

In addition to the Adult Literacy Initiative, other literacy instruction is provided through the educational components of the Department of Employment training programs, and in other Community Development Agency programs.

Beginning in FY 1989, the City's portion of the Adult Literacy Initiative will be funded through tax-levy funds.

As a result of increases in City and State funding, the number of adults served has more than tripled over the last three years. The New York City Adult Literacy Initiative now serves some 45,000 students each year,

making it the largest such program in the country. Over half of the students receive ESL instruction and, in FY 1986, 48.6% of all students were Hispanic. However, despite the considerable City commitment to literacy, waiting lists for classes, particularly ESL classes, continue to exist throughout the City.

In response to the literacy requirements of the new Immigration Reform and Control Act there are plans to expand services in this area in the coming year utilizing reimbursement funds from the Act. (See Chapter 1, Immigration.) The City will be involved in administering and developing these services.

High School Equivalency

High School Equivalency classes, or "GED" (General Education Development) classes, offered by the Board of Education and CUNY are funded by the State Department of Education. Participants must possess an eighth grade reading level in English. The Board of Education offers GED classes according to need. In FY 1986-87, the Board of Education offered a total of 126 GED classes to approximately 5,682 students; 25 classes were offered in Spanish, 98 in English and 3 in French. Diplomas were received by 2,279 students. Approximately 40% of program participants were Hispanic.

Although there has been no increase in available funding, Spanish-language GED classes at CUNY served some 2,900 Hispanic students over the 1986-87 school year; almost 600 more than were served in 1985-86. Hispanics now comprise 46% of all those participating in CUNY GED courses, exceeding the percentage of black students (42%) for the first time. Thus far, CUNY has been able to shift resources to accommodate the growing demand for Spanish-language GED courses. During the 1986-87 school year a new site was added at City College while programs at Hostos and York Colleges have expanded in size. For the first time, CUNY is considering use of a waiting list; the school hopes to obtain funding to provide additional services in this area.

Recommendation 36. That English and Spanish graduate equivalence diploma courses and English as a second language courses be televised on the Board of Education's Channel 25 and other public service stations.

The Board agrees that this idea should be pursued. Channnel 25 has secured broadcast rights for the Kentucky GED series and is currently airing that program on Saturdays from 3 p.m. to 4 p.m. and on Sundays from 8:30

a.m. to 10 p.m. The series is in English, and while a Spanish version has been discussed, one has not yet been developed. Channel 13 is also broadcasting the series on Saturday from 12 noon to 1 p.m.

Recommendation 37. That the Board of Education develop, and make available to the public, self-instruction tools such as audio and video cassettes, for English as a second language and graduate equivalence diploma courses.

The preparation, duplication and distribution of cassettes is extremely costly. The Board believes this should be done commercially in conjunction with a program of instruction.

Self-instruction materials are available through Adult Literacy Initiative programs in the public libraries. In 34 branch libraries, 19 of which have newly constructed learning centers, students can borrow video and audio tapes or work in language labs and with computers.

PHYSICAL CONDITIONS IN THE SCHOOLS

Recommendation 38-39. That the Board of Education seek to give school principals direct supervisory authority over each school's custodial staff in its upcoming contract negotiation with the custodian union. That the Board of Education carefully monitor the implementation of the Board of Education resolution dated June 23, 1960, which requires that all school principals evaluate their custodial staff three times a year.

The Board of Education has given principals the responsibility of rating the custodial staff within the schools. The Chancellor, by memorandum, has reiterated this responsibility. Unsatisfactory ratings are forwarded to the Division of School Buildings for follow-up and remedial action is taken as warranted.

Recommendation 40. That the pilot program initiated by the Board of Education in September 1986, which allows one school district in each borough to contract directly for repairs, be expanded to all schools if judged successful.

The pilot program -- now titled the Handyman Program -- has been expanded through the allocation of additional funds from the Municipal Assistance Corporation. The Board of Education will continue to closely monitor this program to determine whether additional expansion will be initiated in following school years.

The Handyman Program is an attempt to give local school officials the ability to accomplish minor repairs with a minimum of delay. Each district has received an allocation of $100,000 to use for quality of life items such as inoperative water fountains or toilets, broken shades, etc. In each of the 32 districts, the $100,000 allocation has been equally divided between two, minor plumbing and minor construction repair contracts. As of July, over half of the 64 contracts had been awarded and rebidding on the remainder was imminent. The Board is closely monitoring the work performed under these contracts.

Scorecard

The Board is in the process of developing an impartial on-going rating system to assess the conditions in our over 1,000 schools. The project is modeled after the scorecard developed by the Department of Sanitation. Once this program is in place, the Board will be able to assess and respond to conditions needing repair in a more systematized manner. The first quarterly visits will occur in Fall 1987.

Additional MAC Money

The Board, since the fiscal crisis in the late 1970's, has received insufficient funding for its maintenance operations. As a result, substantial backlogs developed in what can be considered routine maintenance. The City has now recognized this need and provided, from MAC monies, an additional $16.1 million in fiscal year 1987, and an additional $75 million for fiscal year 1988 to be used over a three year period.

These funds will be used for painting, plastering, waterproofing, classroom furniture, lunchroom furniture, lighting shades toilet repairs, teacher's lounges, and miscellaneous repairs. These funds will have a major impact on reducing the overall backlog of maintenance needs.

Recommendation 41. That the Board of Education initiate an "adopt a school" program where corporations support schools in need of repairs and contribute to their rehabilitation.

Approximately fifty percent of Board of Education buildings were built fifty or more years ago; some sixty predate 1900. Overcrowding coupled with underfunding that was necessitated by the City's fiscal crisis in the mid-1970's, has resulted in further deterioration of

facilities. The scope of the problem precludes meaningful impact from the support of individual corporations.

To address this systemic problem, the Board has appointed a Task Force for Capital Financing and Construction (see Recommendation 28) to examine the expanded capital plan, to develop a funding mechanism for the plan, and to help design a new construction agency which could manage and speed up the process of constructing and rehabilitating hundreds of buildings. When these tasks are completed and the Task Force has made its recommendations, it is reasonable to assume that individual corporations participating in programs like the School and Business Alliance, Join-A-School, or in new joint initiatives will provide limited support for repair and rehabilitation of individual schools.

Recommendation 42. That a volunteer student custodial program be instituted in each junior and senior high school in the City. This program would serve the dual purpose of teaching students maintenance skills under the direction of school principals and developing student concerns for and pride in the appearance of their school.

While the concept of a volunteer student custodial program has a great deal of merit, the Board believes that implementation of such a program would be unlikely because it must be fully agreed upon by Local 891 of the International Union of Operating Engineers.

Negotiations are underway regarding the recently announced maintenance program funded by surplus MAC money which includes provisions that much of the maintenance work be done by vocational school students and graduates (see Recommendation 40). This type of actual job experience should serve the objectives of developing maintenance skills.

Recommendation 43. That the New York City Board of Education and the Mayor urge the New York State Commissioner of Education to rescind any directive or guideline which limits the admission of minority youth to some City schools.

In an effort to maintain integrated schools and stem the decline of white enrollment, State Commissioner of Education Nyquist issued guidelines limiting the admission of minority students to certain schools. These guidelines are now the subject of a constitutional challenge in pending federal court litigation.

Specifically, the Second Circuit Court of Appeals remanded the case to the District Court to review several components of the choice of admission plans. The evidentiary hearings have been adjourned at the plaintiff's request because they want to see how the new high school admissions procedures will impact on the schools. Mayor Koch agrees with the premise of the Commission's recommendation, namely, that limits on admissions on the basis of the student's race, ethnicity, religion or gender are inconsistent with the principles of equal treatment and fairness, and he believes that any quota restriction should be eliminated. He also believes that the Board Education should determine the stance to be advanced in the current litigation.

This issue was recently the subject of a study, the New York City Integration Policy Report, conducted by the Columbia University Law Clinic under Professor Harriet Rabb. The report concludes that the integration policy, as formalized by the guidelines of the State Commissioner of Education, does little to promote actual integration and, in fact, is probably unconstitutional. Following publication of the report, Robert Wagner, President of the Board of Education, asked Board Members Beattie and Sadowsky to further examine this and related issues.

CUNY

Recommendation 44. That funds be designated to CUNY to ensure continuation and expansion to all eligible first year students of the Summer Pre-freshman Skills Immersion Program.

CUNY has received funding that will enable the system to support expansion of the Summer Pre-freshman Skills Immersion Program at the ten senior colleges. The purpose of this program is to provide intensive remedial instruction to entering students who do not meet minimum proficiency standards in reading, writing and/or mathematics on the CUNY skills assessment test. It also eases the transition from high school to college.

The results of the 1986 summer program indicated that students who complete the program felt encouraged to continue and finish their college education, spend less time taking remedial courses in their freshman year than non-participants, earn significantly more credits in their freshman year than non-participants and have a higher retention rate than non-participants. By comparison, "English as a Second Language" (ESL)

students, CUNY found, entered with lower test scores and made smaller gains than students with native-speaker language proficiency. In view of this, CUNY expanded the ESL component of its 1987 summer program.

The enrollment for the 1987 Pre-freshman Skills Immersion Program nearly doubled that of 1986. In the case of the Borough of Manhattan Community College, enrollment jumped from 70 to 700. (Complete data on the summer 1987 program is not yet available.)

Recommendation 45. That child care programs be increased at CUNY campuses to allow single parents the flexibility to attend school.

CUNY fully understands the need to provide low-cost, on-campus child care services to their increasing student population, many of which are 25 years of age or older and single, female, head-of-household and minority. According to recent statistics made available by the university, 27% of entering freshmen are parents, with 52% of these indicating an immediate need for child care services.

Presently, CUNY has fifteen active child care centers and two in the planning stage. CUNY is now in the process of updating comprehensive information on its child care needs in order to support upcoming requests for additional funding for child care services.

BOARD OF EDUCATION

Recommendation 46. That the Mayor and each of the borough presidents form separate screening panels for their appointments to the Board of Education. The screening panels will include parents and educators, who reflect the racial and ethnic mix of the City. The screening panel function will be to actively recruit, interview, and submit nominations of eligible candidates. The final appointments will be made by the Mayor and the borough presidents from the list of qualified candidates.

Recommendation 47. That the Mayor introduce legislation which would make this selection process mandatory.

Under the current system where the Mayor only appoints two of the seven members of the board, a screening panel is not necessary and would be inappropriate. To delegate this authority, or to in any way restrict the Mayor's power to appoint the two people best suited to serve, would unduly restrict the mayoral prerogatives and his ability to influence policy

in the area of education. Just as it would be inappropriate for any mayor to delegate to any group his authority to select commissioners or agency heads, so too it would be inappropriate for him to delegate his power to appoint two members of the Board Education. Mayor Koch believes that, particularly in so critical an area as education, he must be free to select those people who most closely reflect his view of educational priorities. In making his appointments to the Board of Education, the Mayor has made it his practice to solicit advice and recommendations from a wide variety of groups and individuals who reflect the full spectrum of City opinion and representation. The Mayor will continue this practice.

The Mayor has supported and will actively pursue legislation that would expand the membership on the Board of Education to fifteen and provide that ten of those members would be mayoral appointees. The Mayor also believes that this legislation should establish a screening mechanism to assist him in finding the best individuals to fill the ten positions. A screening process designed for merit selection has been successful in other areas where there are large numbers of mayoral appointees. Mayor Koch's merit selection process for the appointment of judges has received wide acclaim. We currently employ similar systems for the choosing of City Marshals and commission members appointed under Section 46 of the City Charter. In every case the appointments have been viewed as of the highest quality and the percentage of minorities and women appointed to the judiciary have surpassed those of any other appointing authority in the country (1985 National Survey by the Committee on Modern Courts).

The original legislation failed to pass this year, but the Mayor will continue to support it. In the recently completed legislative session, the Mayor also supported a bill that would have allowed the Charter Revision Commission to submit to the electorate a proposed revision of the City Charter regarding the process of selecting Board members. This legislation also failed to pass.

The president of the Board of Education has recently announced the creation of a ten-member Hispanic Advisory Committee to the Board of Education. The purpose of the Advisory Committee is to assist the Board in addressing the unique needs of the public school system's Hispanic student body and to target appropriate programs.

Recommendation 48. The voluntary compliance to this selection procedure be sought until legislation is passed.

Until the Board is expanded the Mayor will not delegate his Board of Education appointment responsibilities to others. Furthermore, because Mayor Koch opposes quotas based on race or ethnicity or on any other inappropriate criteria, he would never, formally or informally, designate the particular position on the Board of Education as a Black, Hispanic, Asian or white representative. Satisfying these competing demands for representation would be numerically impossible with only two mayoral appointments and, although perhaps theoretically possible with ten, would still be absolutely inappropriate. Rather, under the proposed legislation, the Mayor would rely upon a screening process based on merit and emphasizing affirmative action. A similar process, as demonstrated by the record of judicial appointments, has resulted in increased number of minority and female appointees.

Recommendation 49. That the Mayor commence discussions with the UFT and the community school boards for the purpose of introducing legislation requiring that 75 percent of all those elected to community school boards be parents who reside in the school district.

The Board of Education and Chancellor Quinones have asked for a comprehensive review of the role and structure of Community Boards. One of the aims of this review would be to increase parental involvement in Community Boards.

Mayor Koch agrees with the Commission that structural changes in the community school board system are required. The community school board elections are a disgrace. The voter turnouts are dismal (about 7 percent of those eligible); the proportional representation system is unduly complicated; the results are skewed by the pressures from special interest groups and the entire election process is wastefully expensive. Assemblyman Jose Serrano has proposed important legislation to reform the school board election process. It offers us an opportunity to salvage the community school board concept. Mayor Koch supports the following key elements of the Serrano plan: the direct election of school board members, establishment of a code of ethics; campaign financial disclosure requirements; and, the neutrality of Board of Education employees in local school board elections. The Mayor's unqualified endorsement of the Serrano Plan awaits only an analysis of how this new

system of elections would impact minority representation on our local school boards. But Assemblyman Serrano and Mayor Koch share the goal of increasing that representation, and Mayor Koch will be working with the Assemblyman to see that this measure is enacted.

CHAPTER 3: ECONOMIC DEVELOPMENT

PERSPECTIVES ON ECONOMIC DEVELOPMENT

There is considerable debate over the size of the Hispanic business community in New York City. According to the 1982 Survey of Minority-Owned Businesses, published by the United States Census Bureau, there were 10,388 Hispanic-owned firms in New York City in 1982, doing a gross annual business volume of $800 million. [1] According to the 1982 Report, of these 10,388 firms, 1,430 had paid employees; these firms employed a total of 6,241 workers with an annual payroll of $82 million. Most of these firms are in the wholesale trade and retail industries which combined account for 52% of all Hispanic-owned firms' annual volume. Most firms (59%) were located in Manhattan. [2]

The baseline finding of the 1982 Census Bureau Report has been questioned in an analysis conducted by the Hispanic business office of the City's Office of Business Development. This analysis estimated that there were 16,000 to 18,000 Hispanic-owned businesses. [3] The Commission on Hispanic Concerns, after analyzing data on Hispanic businesses, challenged that finding as well and concluded that "the Hispanic business community in New York City is much larger, is growing faster, and accounts for a greater and more significant amount of employment and revenue in the Hispanic community than the Hispanic business office paper indicates." [4]

As the following highlights point out, one of the Commission's recommendations that has been adopted and is currently being implemented is a systematic survey of the Hispanic business community that will provide a current answer to this question. Whatever the exact number turns out to be, the central point should not be overlooked: the Hispanic business community is growing and is looking to grow even faster.

PROGRAM HIGHLIGHTS ON ECONOMIC DEVELOPMENT

The City's economic development agencies have made substantial progress toward implementing specific initiatives to support the development of Hispanic businesses throughout the City. These agencies include the Office of Business Development (OBD), the Financial Services Corporation (FSC), and the Public Development Corporation (PDC), and the Department of Ports, International Trade and Commerce (PITC).

Office of Business Development

The Office of Business Development (OBD), as the City's business service agency, works to create a positive economic climate through a range of programs which link local industries, business associations, and individuals with services provided by city, state and federal government. The agency actively promotes the expansion of city businesses and job opportunities. OBD directs those who seek help to the appropriate business assistance program. In addition, the agency provides counseling and services in the following areas: real estate, technical and marketing assistance, legal or procedural "red tape," human resources, commercial revitalization, energy and security resources, procurement systems, and other common business concerns.

For FY 1988, the Office of Business Development received funding to create a new Division of Economic Opportunity (DEO) to fulfill a need identified by the Commission on Hispanic Concerns. An Assistant Commissioner has been chosen to head DEO and this appointment will be announced shortly.

Under the direction of the Assistant Commissioner, DEO will work to encourage economic development among Hispanics as well as other disadvantaged communities, and to ensure that the specific needs of emerging businesses are served by the City's economic development programs. This effort will include targeted efforts to reach Hispanic entrepreneurs and to advocate on their behalf. As recommended by the Commission, the Hispanic Business Advisory Board appointed by the Mayor is working with Deputy Mayor Alair Townsend and other members of the economic development team on the new initiatives being developed by DEO.

In addition, OBD has virtually completed preliminary research outlining a study which will define the nature

and characteristics of Hispanic business in New York City. This study will enable the City to design or modify city services to effectively address the needs of the Hispanic community.

Financial Services Corporation

The Financial Services Corporation (FSC) is a not-for-profit corporation which offers financing programs and services designed for smaller businesses and those which may otherwise have difficulty gaining access to private capital. In the process, FSC seeks to maximize employment opportunities for low or moderate-income persons and New York City residents. Based on the data from 587 FSC projects and a total of 65,301 jobs, 68% of these jobs are held by low or moderate income persons, and 85% are held by New York City residents. Many of FSC's programs are targeted to manufacturing because it continues to provide significant job opportunities for semi-skilled and unskilled workers in New York City. FSC services benefit the type of businesses which are more likely to be Hispanic-owned, or to employ Hispanic workers. Further, many of FSC's projects are in areas with a high percentage of Hispanic residents, such as the South Bronx.

FSC also assembles financial assistance packages for Hispanic entrepreneurs. The case of Condal Distributors, a Bronx-based Hispanic-owned company engaged in food distribution, is an example of how FSC assistance can benefit a firm and its community. The financial package proposed for Condal will combine an Urban Development Action Grant, an Industrial Development Bond, a Revolving Loan Fund, equity, and an allocation from the City's capital budget. By relocating to the City's mid-Bronx Industrial Park, this $6.4 million project will allow Condal to double its operating space and expand activities, while creating 60 new jobs.

In response to the recommendations of the Commission on Hispanic Concerns, FSC has initiated a composite bond program which will assist small to medium-sized Hispanic, and other minority, businesses. The corporation has re-worked the Small and Minority-Owned Construction Firm Working Capital Loan Guarantee program (SMOC I) to relax eligibility requirements and has designed a similar program (SMOC II) to assist contractors working on construction projects generated by the City's 10-year Housing Program. A comprehensive working capital loan program for small and expanding firms has been drafted.

FSC has also extended its outreach efforts to the Hispanic community and will continue to do so with the assistance of OBD and the Hispanic Business Advisory Board. Finally, FSC plans to improve its tracking of the effect of its projects on Hispanic business and the employment of Hispanic New Yorkers.

Public Development Corporation

The Public Development Corporation (PDC), the city's real estate development corporation, offers a full complement of project management and other services in the areas of industrial, commercial and neighborhood development. Through use of the City's land and building resources, together with an array of financial incentives, PDC leverages new job creation and development in a comprehensive effort to bolster New York's economy. PDC works closely with the Financial Services Corporation, which helps secure financing for many PDC projects, and with OBD, the outreach arm of the economic development team. PDC is directed by a 31-member Board of industrialists, bankers, developers, and governmental and community leaders. Essentially, the corporation creates individualized programs for planned development that aim to benefit all sectors of an area's economy. To do so, PDC works closely with local elected officials, community boards and local development corporations.

To target assistance to Hispanics and other minorities, PDC has established an Ad-Hoc Committee on Small and Minority-Owned Business Development, as recommended by the Commission on Hispanic Concerns. PDC is currently working on the East Harlem Initiative, a major economic and housing development plan to be achieved in cooperation with HPD, several other city agencies, and the community. The corporation has also modified its overall procedures regarding notification of public officials and communities prior to site development. Finally, PDC has translated its informational brochures and in-depth fact sheets into Spanish. The Ad-Hoc Committee will now conduct a comprehensive assessment of PDC's technical assistance, land disposition, and outreach efforts and make the changes necessary to ensure that small and minority-owned businesses are being served effectively.

Department of Ports, International Trade and Commerce

The Department of Ports, International Trade and Commerce (PITC) is responsible for the development of New York City ports, the promotion of domestic and international commerce, and the economic and public development of waterfont property. It is also responsible for the management of the City's 12 public food markets.

The Commission on Hispanic Concerns noted that PITC's La Marqueta initiative, an economic development project in El Barrio, is an example of a City endeavor that effectively utilizes Hispanic businesspeople and builds upon the economic viability of an important institution within the community. San James Realty, a Hispanic development firm, and General Atlantic Realty Corporation were designated last fall to revitalize La Marqueta. Lease negotiations are nearing completion and the lease should be presented to the Board of Estimate this fall.

This redevelopment will restore La Marqueta's tradition as a Hispanic Marketplace by combining old and new commercial activity. Existing merchants will be retained and new businesses will be established in a rehabilitated and expanded facility. Construction will be phased over three years while the market will continue to operate.

The San James proposal will provide over $7 million in private funds for reconstruction. In keeping with the Commission's recommendation that City funds be used for capital improvements in the neighborhood surrounding the market, PITC is preparing a plan for such improvements in conjunction with the Community Board, local businesses and elected officials.

PITC is now developing a 93-acre area at Hunts Point for several facilities for wholesale food distribution, warehousing and food processing. Special efforts will be made to identify the needs of Hispanic and other minority companies and the developer will be required to designate space for small and start-up companies.

STATUS REPORT ON INITIATIVES IN ECONOMIC DEVELOPMENT

Recommendation 1: That the Mayor issue an executive order creating the Hispanic Economic Development Office (HEDO) which would replace the Office of Business Development's (OBD) Hispanic Business Office. HEDO would report directly to the Deputy Mayor for Finance and Economic Development. This new office would have primary responsibility for advocating on behalf of Hispanic businesses for economic development in the City's Hispanic neighborhoods through existing City economic development entities and in cooperation with the newly created Hispanic Public Benefit Corporation. While not assuming any of the authority of the existing economic development agencies, HEDO would move the decision-making accountability to a higher level than currently exists and would enhance its advocacy abilities through a direct reporting relationship to the Deputy Mayor.

The City and the Hispanic Commission share the desire to see that the Hispanic business community grows, prospers and participates fully in City's economic development programs. The City believes that these common goals can best be attained by creating a new Division of Economic Opportunity within the Office of Business Development (OBD). Although some Hispanic businesses are large, there are also many small Hispanic firms which require new initiatives to ensure that they take full advantage of the City's economic development programs. This division, to be headed by a new Assistant Commissioner for Economic Opportunity, will reach out to Hispanic and other small and minority businesses, advocate on behalf of these businesses and communicate their specific needs and concerns.

The Fiscal Year 1988 budget allocated funding to staff the new Division of Economic Opportunity within the Office of Business Development (OBD). The unit will consist of a staff of seven. OBD expects to announce the choice of the Assistant Commissioner to head this Division in September.

Under the new Assistant Commissioner, the specific functions of the Division of Economic Opportunity will include:

-- advocacy on behalf of Hispanic businesses and guidance for individual firms needing assistance from the city's economic development agencies;

-- liaison to the Hispanic business community, in coordination with the Hispanic Business Advisory Board;

-- publicizing of the City's economic development programs ;

-- gathering information on the extent and needs of the Hispanic business community.

OBD is continuing its outreach to the Hispanic community. In June, OBD conducted a seminar explaining OED programs and services for the U.S. Hispanic Chamber of Commerce. The agency also participated in the Hispanic World's Fair at the Javits Center. In addition, an interview with Gary Kesner, Commissioner of OBD, will be aired by Channel 41.

Brochures regarding OED Business Development, Merchants' Advisory, Small Business Enterprise and Security Programs have been translated into Spanish.

In the FY 88 budget, $100,000 has been allocated to a marketing campaign targeted to the Hispanic community. This will fund 24 print ads and 15 radio ads per week on two stations over a 24 week period.

One out of four NY*MAGIC ads placed on subways and buses are in Spanish in addition to NY*MAGIC ads which run in El Diario and Noticias Del Mundo.

On October 6, 1987, OBD, the Department of General Services, and the National Minority Business Council will co-sponsor a Minority Procurement Seminar at 1 Police Plaza.

Recommendation 2: That an advisory board be established to work with the Deputy Mayor for Finance and Economic Development to define and assign priority to the needs of the Hispanic business community and to define HEDO's staffing, budget and other needs. HEDO must be adequately funded and staffed with experienced and competent officials. After the establishment of HEDO, the Board would serve in an advisory capacity to the agency.

The Mayor has formed an eight-member Hispanic Business Advisory Board to advise Alair Townsend, Deputy Mayor for Economic Development, on economic development

issues of concern to the Hispanic community. The Board will recommend strategies to encourage economic growth in the Hispanic community, and assist Hispanic firms to take advantage of resources offered by the city.

The Advisory Board is chaired by Ramon Morales, president of the National Hispanic Business Group. Drawn from the Hispanic business community, the Board's members are: Alicia Conill, president of Conill Advertising; Aida De Soto, president and chief executive officer of Concepts Office Furnishings; Valentin Feliciano, president of City Wide Security Services; Frank Flores, president of Marsden Reproductions; Hernand V. Gonzalez Jr., director of marketing for Pepsi-Cola Bottling Company; Giovanni Sepulveda, president of Dominican Bank; and Joseph Wiscowitch, vice president for public relations and marketing for Banco de Ponce.

Since its formation in mid-June the Advisory Board has held two meetings with Deputy Mayor Townsend, Gary Kesner, Commissioner of OBD, and other members of the Economic Development team. A third meeting is scheduled for September 21 at which time the Advisory Board will receive a briefing by Luis Miranda concerning the status of the City's responses to the Hispanic Commission's recommendations. The Advisory Board has assisted OBD in identifying Hispanic businesses within the City and has begun to define their needs. (See Recommendation 4 below.)

Recommendation 3: That HEDO assist in the development and growth of merchants' associations and local development corporations in Hispanic communities by providing technical services and targeting available City resources meant to assist such organizations.

OBD actively assists the development of local merchants' associations and LDCs and ensures that they receive needed technical assistance, largely through the Commercial Revitalization (CR) Program. Ongoing commitments to approximately twenty local groups in Hispanic neighborhoods continue. In addition, four groups have "graduated" from the CR Program and are either approved as Business Improvement Districts (BID) or are beginning the BID process -- one in Manhattan Valley, two in Williamsburg and one in the Bronx. (See Recommendation 5 below.)

Recommendation 4: That HEDO serve as a resource center for information regarding the City's Hispanic

business community through the collection and analysis of data for use in programmatic decision-making.

In the FY 88 budget, $50,000 has been allocated for a study of Hispanic businesses, examining where they are, what they do and what their special needs are. The information provided in this study will allow the City, assisted by the Hispanic Business Advisory Board, to assess specific needs of the community, and, where indicated, to design programs to address those needs. OBD has begun research on this subject and has discovered that there is a dearth of information. Staff members are analyzing a 1982 federal census of minority businesses (the most recent census information on minority business currently available).

The Advisory Board is working closely with OBD to frame the Request for Proposal (RFP) for this study. It is expected that the RFP will be issued in late September or early October.

Recommendation 5: That education and technical assistance programs sponsored by OBD for the Hispanic business community be transferred to HEDO. Such programs should be reviewed by an independent consultant to ensure that they provide training that assists Hispanic business people in dealing with actual business problems.

Efforts to further target the variety of technical assistance services and training programs OBD makes available to Hispanic businesses continue. (See also Recommendation 1 above.)

Supper Seminars are provided in Hispanic neighborhoods using Spanish-speaking experts and/or translators. The seminars are very focused and provide specific and practical technical assistance in areas such as city services and the purchase of city-owned land; financing; marketing and advertising; merchandising and leasing. A Supper Seminar will be held in Williamsburg this fall and another in East Harlem this winter.

OBD also continues to provide the Merchants' Advisory Program in Hispanic neighborhoods. Under this program, experts in fields such as marketing, insurance, and accounting advise neighborhood merchants at their places of business. This fall a team of experts will be sent to the Fifth Avenue area of Park Slope. In October 1986, technical assistance was provided in Spanish to 18 merchants in the area of 37th Avenue in Queens.

In May, a Security Seminar was held for the Metro Spanish Food Wholesalers (bodega suppliers) in the South Bronx. As a result, security audits are now being conducted for seven buildings in the Bronx Terminal Market. A second seminar for bodega owners will be held this winter.

Recommendation 6. That a more focused effort be made by OBD together with the HEDO to have Hispanic construction firms registered as Locally-Based Enterprises. If this effort is unsuccessful, the City must submit state or local legislation to adopt programs similar to that of the State and federal government which require set-asides for minority business enterprises on City construction sites.

Previously under the auspices of the Mayor's Office of Construction, the Locally-Based Enterprise Program (LBE) was shifted to the Bureau of Labor Services as of July 1, 1987.

An LBE public awareness campaign being developed for implementation in the near future includes the display of six thousand bi-lingual posters in the subway system. In 1985, a similar poster effort, in English, resulted in substantial increases in new firms joining the program. In addition, 4,000 updated LBE brochures are being prepared to be used in a mass mailing effort to target black, Hispanic, Asian and women-owned contractors. The campaign will also seek to expand public service media coverage on Spanish-speaking radio and television stations, as well as to expand information in Spanish publications.

The total LBE enrollment expanded from 534 in FY 1986 to 564 by the mid-point of FY 1987. Of these, 173 were minority-owned while 53 were women-owned. In total, minority and women-owned firms account for 40% of the certified LBEs.

A review is being undertaken to determine whether there is a need for another level in the LBE program for firms which have exceeded the receipts limit during their initial enrollment. A change to allow for a more gradual departure from the program would enable such firms to develop additional strength, and would provide a group of LBE's with greater capacity and ability to undertake larger jobs.

Mayor Koch is opposed in principle to the notion that certain percentages of governmental contracts should be "set-aside" for individuals or companies based on the race, ethnicity, religion, or gender of the individual or the principals of the corporation. Mayor Koch believes that the track record of the City's LBE program demonstrates that minority businesses can flourish under a program that targets local businesses.

Recommendation 7. That the HEDO and OBD aggressively market the newly enacted Small Business Enterprise program by supplying Hispanic businesses with a tax listing of all categories of goods purchased by each City agency. If such efforts produce few results for Hispanic businesses, as with the Locally-Based Enterprises program, the City must adopt a similar set-aside program in the service area.

OBD's marketing materials for the Small Business Enterprise Program have been translated into Spanish. These materials will be used in a direct mail marketing campaign targeted to over 5,000 potentially eligible companies, many of whom appear on minority vendor lists such as that supplied by the New York/New Jersey Minority Business Council.

SBE liaisons have been identified at each purchasing agency and SBE reporting systems have been established. SBE reporting from city agencies will include information on past, present and anticipated contracts for goods and services.

The City has adopted a policy against set-asides based on race, ethnicity, religion or gender (see Recommendation 6 above).

Recommendation 8. That OBD with HEDO expand the Space Bank to include retail space for small businesses which employ less than ten persons. A pilot program should be developed in order to identify the administrative difficulties in setting up such a referral program.

OBD's Space Bank, which helps match real estate needs of companies with available property, has 3,000 listings totalling over 60 million square feet of industrial and commercial space. There is no lower limit of ten employees for firms using the Space Bank. The type of space that is listed is limited only by that

which is received by the office. The Space Bank has listings as small as 500 square feet.

To enhance its efforts to help retailers find space, OBD's Real Estate Assistance Unit has established a city-wide network of over 150 Local Development Corporations and 130 brokers who will participate in a Retail Space Service. Any retail vendor seeking assistance will be referred to the local contacts in his or her neighborhood who are familiar with the ever-changing retail space market in that area. They will also be supplied with demographic information for the particular community. The program is currently operational in most commercial areas of the outer boroughs and is expected to be fully operational on a city-wide basis by October.

Recommendation 9. That the Mayor and the Manhattan Borough President recommend to the State that a Hispanic subzone be added to the currently submitted Opportunity Zone for East Harlem.

As recommended by the Commission on Hispanic Concerns, OBD expanded the Economic Development Zone application for East Harlem to include Spanish East Harlem, and submitted the final application to the State on March 2nd. East Harlem, however, was not designated by the State in the first group of Economic Development Zones and OBD will resubmit the application in the next round of submissions. At the same time OBD is working with City Planning and HPD towards a rezoning of portions of the East Harlem area to assist in industrial and commercial development. (See Recommendation 12 below, and Chapter 5.) It should be noted that the Port Morris and East New York areas, with 63% and 40% Hispanic populations, respectively, were designated as Economic Development Zones in the first round.

Recommendation 10. That the Mayor appoint an advisory committee of Hispanic businesspeople and community leaders to work with the city in the future implementation of the New York State Economic Development Zone Act.

On a regular and ongoing basis, the city works with local community boards and local organizations in the development of the Economic Development Zone program for the areas which were designated Economic Development Zones by the state. In addition, the city will work with

the new Advisory Board of Hispanic business leaders in implementing the State Economic Development Zone Act.

Recommendation 11. That the Board of Directors of the Public Development Corporation (PDC) create a committee to work with HEDO to encourage the development and implementation of programs for minority businesses. The committee would also work with the HEDO to improve PDC's outreach efforts, increase program activity, enhance development initiatives, and provide better relations with the Hispanic community. This committee should present a concrete plan of action to the Board of Directors within three months.

The Board of Directors of PDC has established an Ad-Hóc Committee on Small and Minority-Owned Business Development. Its mandate is to guide PDC staff in developing and implementing programs geared toward assisting small businesses, particularly those owned by Hispanics and other minorities.

To date, the Committee has focused its efforts on assisting PDC with the East Harlem Initiative. (See Recommendation 12 and Chapter 5.) In the future, the Committee will evaluate PDC's current technical assistance, land disposition, and outreach efforts to ensure that small and minority-owned businesses are being served effectively.

To improve PDC's outreach efforts, the Commission asked that PDC expand its contact with public officials concerning the development of property within their neighborhoods and to the Hispanic community concerning PDC's efforts in general. PDC has established a policy of notifying public officials (including those of local development corporations and Community Boards), in writing concerning its efforts to develop city-owned property. This includes notification prior to the issuance of a Request for Proposals for the site's development, or prior to initiating the approval process for the negotiated sale of a parcel.

To improve general outreach efforts to the Hispanic community, PDC's brochures are being translated into Spanish. To date, PDC has translated an in-depth fact sheet outlining how to purchase property through the Real Estate Sales program. A PDC brochure on employment and another describing the corporation's capabilities will be translated next.

Recommendation 12. That, in determining whether an overriding public purpose exists for a sole source land sale in East Harlem and other disadvantaged Hispanic neighborhoods, PDC must include a review of whether the sale will maintain the Hispanic integrity of the community, involve the significant use of Hispanic businesses and create jobs for community residents. HEDO should be responsible for providing such information and the sole source sale, then the Hispanic community or Hispanic developer must also be given the right to bid competitively on the land. This right to bid would also be made available to non-Hispanics who meet this criteria. This would, in effect, convert a sole source purchase into a restricted bid sale or a request for proposals with the Hispanic bidder being held to all the same criteria as any other interested party.

In effect, the Commission's recommendation calls for the implementation of a right of first refusal for disposition of land within these areas. The city does not believe that implementing a right of first refusal for land sales in certain areas would be in the public interest. Projects which involve sole source sales are chosen according to economic development criteria which include the number of jobs created or retained and the appropriateness of the development in the community.

Current city policy already affords a preference to local businesses which seek to purchase adjacent city-owned land or to purchase property which they lease as city tenants. Approximately one-half of PDC's sales are to such local businesses who desire to expand their business commitment to the community.

The Commission's recommendation addresses several concerns: consultation with the Hispanic community and community leaders, outreach to Hispanic developers and economic development concerns. The response to this recommendation discusses changes in PDC procedures that should facilitate the community's access to the PDC land disposition process and new outreach programs. The response also specifically addresses the Commission's concern for the East Harlem community by summarizing the PDC role in the East Harlem Initiative (more fully discussed in Chapter 5). It should be noted at the outset, however, that to the extent that the Commission's recommendation implies that it should be city policy to maintain a particular ethnic identity to a neighborhood, the suggestion must be rejected. The City cannot, as a matter of principle, seek to keep a neighborhood as

Jewish, Italian, black, Asian or Hispanic and exclude others from that neighborhood. While it is entirely appropriate for the City to attempt to protect a community's current residents from dislocation if the neighborhood is undergoing transition, this type of intervention is not based on race, religion or ethnicity.

Modification of PDC Procedures

PDC is fully committed to outreach to local Hispanic businesses and consultation with the Hispanic communities. PDC has intensified its efforts in this regard. To do so, PDC procedures have been modified to include the following:

a. Upon receiving a request for the purchase of a site from a particular firm, PDC evaluates the proposals based upon criteria concerning the economic value of the project, including: level of job creation and retention; economic feasibility of the proposal; consistency with zoning regulations; value of the project to the community; company's prior commitment to, and level of presence in, the community.

b. Letters sent to the public officials in the area, including the Community Board, informing them of PDC's intention to sell a particular parcel. This will happen prior to entering the formal approval process for small sales. In the case of large-scale developments implemented through the Request for Proposals (RFP) process, where possible, PDC will contact these officials before the issuance of an RFP.

c. PDC's Real Estate Committee and Board of Directors reviews and approves the sale. The Real Estate Committee now includes the Chairman of the newly created Ad-Hoc Committee on Small and Minority-Owned Business Development.

d. Community Board reviews and approves the project, which is designed to help PDC insure the project is in the best interest of the area.

e. Board of Estimate reviews and approves the project.

f. PDC executes the contracts of sale.

Outreach

In keeping with the recommendation that PDC increase its outreach effort to public officials before issuing an RFP for a site's development, all recently-issued Requests for Proposals were advertised in Spanish publications. PDC also notified public officials, including the local community boards, of its intention to develop the various sites included in these requests.

East Harlem Initiative

Several of the findings of the Commission on Hispanic Concerns stressed the housing and economic development needs of the East Harlem community. To fulfill the Mayor's commitment to address these needs, PDC and HPD are coordinating a comprehensive two-part initiative. The Deputy Mayor for Physical Development, Robert Esnard, has invited the ongoing input of Community Board 11 into the design of this "East Harlem Initiative." It is proposed that, as a first step, the City will survey the land uses in East Harlem to identify industrial, commercial and housing opportunities. HPD and PDC will then harness city resources to turn these opportunities into concrete projects supplying housing and economic development for the community (see Chapter 5.) In addition to the lead agencies, the East Harlem Initiative will draw upon other appropriate city agencies such as City Planning and the Division of Real Property.

Recommendation 13. That Hispanic membership on the PDC Board of Directors be increased and that the Board work closely with HEDO in improving PDC's outreach efforts and enhancing Hispanic development initiatives.

PDC's Board of Directors consists of 31 members representing business, labor and government. The Chairman and fifteen members of PDC's Board of Directors are appointed by the Mayor -- five based upon the recommendation of the Vice Chairman of the City Council, five based on selection by the Board of Estimate, and five of his own nomination. The remaining fifteen members are appointed by the Chairman. Appointments are made at the Board's Annual Meeting in the spring, with the term of office lasting for one year.

There is currently one vacancy on PDC's Board of Directors to be filled by the Chairman. PDC has asked members of the Hispanic Commission, the Hispanic Advisory Committee and others to submit the names of qualified candidates.

Recommendation 14. That the Financial Services Corporation (FSC) assist small to medium-sized Hispanic businesses through pooled Industrial Development Bonds. Five of these packages should be issued to Hispanic businesses in fiscal year 1987 and 10 in fiscal year 1988.

The Industrial Development Agency issues tax-exempt and taxable industrial revenue bonds on behalf of expanding industrial and commercial companies. Unfortunately, the Tax Reform Act of 1986 eliminated the traditional market for Industrial Development Bonds (IDBs) by making it less profitable for banks and financial institutions to hold these bonds.

FSC, recognizing the need to create mechanisms to address this new environment, and consistent with the recommendations of the Hispanic Commission, has gone forward with a composite bond program. This program will pool together groups of taxable and tax-exempt project bonds into larger composite bond issues to be sold in the public capital markets.

This new program will provide businesses with low-cost, long-term, fixed rate financing, as well as a variety of significant real estate tax savings and other benefits related to the assets they finance. The bonds are backed by a letter of credit which should enable small and medium-sized New York City businesses to borrow funds as if they had an AA credit rating, comparable to Fortune 500 companies. FSC expects that the first bonds under the composite program will be issued this fall.

FSC has a number of other financing programs that are designed to assist firms whose capital needs are too small to make IDB's attractive. These programs retain low and moderate income jobs for primarily New York City residents. In response to an optional question regarding minority employees, firms receiving FSC assistance under these programs report that roughly 75% of their employees are categorized as minority.

The Revolving Loan Fund (RLF) provides flexible, fixed-asset financing for small and medium-sized firms expanding or relocating within New York City. These loans are usually made at below-market interest rates. Recent RLF contract modifications have allowed more smaller loans to be made. For small loans, RLF can now

finance up to 90% of total project cost. These efforts to serve smaller companies have already paid off: in FY 1987, 6 RLF loans were for $100,000 and under, or 27% of total RLF loans. This compares to 12% of total RLF loans approved from 1979 to the end of FY 1987.

The Industrial Retention and Relocation program, which provides moving expense grants and financing assistance for leasehold improvements, is particularly helpful to small firms forced to relocate because of real estate market pressures. Most of the firms participating in this program are small manufacturing operations employing on average 12 persons; the average moving expense grant amount is less than $50,000.

The Energy Cost Savings Program provides energy cost reductions to both big and small firms relocating or expanding in New York City.

In addition to these programs, Urban Development Action Grants (UDAG) offer below-market rates, second mortgage loan assistance for business expansion and large-scale development projects in New York City. FSC negotiates the rates and terms on behalf of the City. UDAG employment characteristics show that of the 28 respondents (out of a total of 36 reporting UDAGs) 53% of their employees are minorities.

Recommendation 15. That the City increase the budget of the Small and Minority-Owned Construction Firm Working Capital Loan Guarantee Program (SMOC) to $3 million in 1987, in order to provide loan guarantees to Hispanic construction firms. Further, if SMOC is to work, City officials, including the Mayor, must strongly urge financial institutions to provide working capital for companies participating in the program.

Recommendation 16. That the budget for the Small and Minority-Owned Construction Firm Working Capital Loan Guarantee Program (SMOC II) be increased to $3 million in fiscal year 1987. FSC, working with HEDO, should retain complete responsibility for the program.

Recommendation 17. That City officials, including the Mayor, strongly urge financial institutions to provide working capital for companies participating in SMOC.

FSC has reworked the programmatic aspects of SMOC to relax the eligibility requirements so that more small and

minority-owned contractors can qualify for loan guarantees and financial assistance. Recent contract revisions modified the program by waiving the surety bonding requirement. Eligibility is now open to all firms which participate in the City's Locally-Based Enterprise (LBE) Program, or are registered as Minority-Based Enterprises (MBEs).

FSC is assigning a project finance manager to provide the technical financial assistance required by SMOC. In addition, these projects must be closely monitored by experienced staff to afford private financial institutions the comfort they need to make these loans. The SMOC program has been allocated $350,000 in funding.

FSC and OBD have met to delineate each agency's responsibilities for providing assistance to small and minority-owned contractors. Every firm that expresses a need for working capital will be referred to FSC. FSC also belongs to a network of City, State and federal agencies formed to provide assistance to small and minority-owned construction firms.

Within the next two months, FSC plans to undertake an extensive outreach effort to the banks, developers, City agencies and small and minority-owned firms to increase activity under the SMOC program. In addition, FSC is preparing a SMOC fact sheet in both Spanish and English.

FSC has completed designing SMOC II, which provides direct loans as well as loan guarantees to small and minority-owned contractors who secure contracts from the City's 10-year Housing Program. This program will provide more services to minority-owned companies, expanding their opportunities to participate in the economic activity generated by the City's housing efforts.

FSC is seeking a $2 million capitalization to fund SMOC I and SMOC II. At this funding level, adequate staff can be acquired to make both SMOC I and SMOC II viable and effective. FSC anticipates that the funding issues will be resolved shortly.

Recommendation 18. That the Financial Services Corporation, working with the HEDO, develop a working capital loan program for firms doing business with the City as suppliers or contractors. Such loans will be

secured by a lien on receivables and inventory rather than simply fixed assets. The need for such a loan program is too great for the Hispanic business community to rely solely on the State's program. The City should study the specific type of loans that are needed by New York City's Hispanic businesses and have a working capital loan program in the place by July 1987 for those contracting with the City. The decision-making on loan applications should be made by FSC in consultation with HEDO.

FSC is completing the draft design of a working capital loan program, after having conducted research of working capital programs in other jurisdictions. In addition, firms were surveyed to gauge the degree of interest in working capital assistance. It was found that the loan size sought by manufacturing companies ranges from $10,000 to $200,000 for terms ranging from six months to seven years. Because of the small size of their requests, these manufacturing firms generally fail to obtain working capital loans. These surveys confirmed the understanding that small firms have a difficult time obtaining the funds needed to fuel their business expansions. Yet small businesses are the base of the City's economy and create the vast majority of new jobs.

FSC believes that a working capital program will provide the capital local firms need in order to expand. FSC is fine-tuning designs for three programs which would provide working capital assistance:

- To help expanding small industrial and commercial firms, FSC plans to provide up to 50% matching funds though pre-selected financial institutions that make line of credit accounts available to businesses, up to $200,000 for a one-year term.

- For firms unable to access any capital through a line of credit account, FSC has designed a pilot direct loan program which would provide small expanding businesses with up to $150,000 for up to 5 years.

- In addition, to support the City's economic development efforts, FSC is designing a program to help small retail businesses in selected distressed commercial strips by providing direct loans of between $5,000 to $25,000, for no more than five years.

FSC will be seeking $3.5-$4 million to fund these programs.

Finally, FSC refers firms it cannot serve to other appropriate entities. FSC works closely with other working capital sources, such as the New York Business Development Corporation (NYBDC), to help meet the capital needs of New York City businesses. NYBDC has recently obtained $100 million of NYS pension funds, and therefore has become more aggressive in its lending activity throughout the State. FSC anticipates that a significant portion of the $100 million funding will be invested in New York City.

Recommendation 19. That the outreach efforts of the Financial Services Corporation be evaluated on a yearly basis by an independent consulting firm to determine the effectiveness of its programs in the Hispanic business community. For those financial assistance programs identified as ineffective, FSC should work with HEDO to better target them or eliminate them. The results of such a review should be analyzed by HEDO and specific recommendations made for improvement of the record.

FSC is committed to reach out to all segments of the New York business community and continues to further its efforts in this area. FSC is presently working with the Hispanic Business Advisory Board, having attended both of the Board's meetings with the City's economic development team, and will welcome the Board's advice on how to make FSC programs more effective for the Hispanic community.

FSC is planning to improve its analyses and studies of Hispanic businesses by tracking more closely the effects of FSC projects on those locations which are largely inhabited by Hispanics, specifically the employment opportunities created for neighborhood residents.

The general brochure describing all the financing programs and services provided by FSC was translated into Spanish early in 1987. Marketing ads are published in El Diario to reach the Hispanic business community. In addition, FSC has a number of bilingual staff members to provide Hispanic clients with financial and technical information on FSC programs and services.

FSC further extended its outreach effort to the Hispanic community by conducting various seminars and conferences throughout the City. Within the last several

months FSC's business development and communications units have given presentations at the Port Morris Local Development Corporation and at the Bronx Chamber of Commerce to business audiences which comprised a significant number of Hispanics. FSC has also given a conference at the South Bronx Board of Trade to that region's banking community. This community, which includes Banco Popular, Marine Midland and Banco de Ponce, services a large Hispanic clientele. A Banco de Ponce representative sits on FSC's Board of Directors. FSC and Banco Popular are working with other banks to put together financial assistance packages for Hispanic entrepreneurs. (See Program Highlights.)

Recommendation 20. That the City auction parcels of land in economically disadvantaged Hispanic communities through a restricted auction process. The auction terms should require that the land be used in a manner consistent with the character of a particular Hispanic community and that the developer seek to maximize the use of Hispanic businesses in the construction of the project. Such auction restrictions and any necessary legislation should be developed by Division of Real Property, Department of General Services in conjunction with HEDO.

The Division of Real Property (DRP) is seeking to expand the number of city-owned parcels made available for sale each year and intends to tailor more of these sales to the specific housing and economic development needs of the city and its neighborhoods. As recommended by the Commission, these sales will take the form of restricted auctions where the use of the site and the development schedule will be strictly defined and monitored. In disposing of city property, the City is committed to working with the community, and this consultation is a feature of the restricted auction program.

DGS-DRP projects a substantial increase in the total number of auction offerings during FY 1988 and, particularly, in the number of properties offered with special use and development restrictions. Approximately 350 parcels will be offered with special restrictions in FY 1988 representing a more than three-fold increase over the 97 special offerings made in FY 1987. Restricted offerings include special auction programs whereby adjacent residential and commercial property owners bid on a limited basis for adjoining City-owned properties -- Adjacent Homeowner Program (AHOP) and Neighboring

Industrial & Commercial Owner (NICOP) Program property sales. In addition, through its periodic general auctions, DRP offers selected parcels with special use (e.g. not-for-profit) or development restrictions.

Of special interest are the newly established "development" auction terms which insure timely rehabilitation and construction on important commercial and industrial properties. More than 50 of such offerings will be made during FY 1988, many of which are located in the City's Hispanic neighborhoods.

In all neighborhoods, DRP makes coded maps and city inventory listings available to the local community board. Where there is interest in a community, DRP also offers additional technical assistance, e.g. by holding a "Pre-Sales Meeting" where potential purchasers of city property are invited to come and have their questions answered. Finally, DRP widely advertises its auctions in the city's print and radio media, including El Diario.

Finally, it should be made clear that the City does not, as a matter of policy, attempt to preserve a certain ethnic character in a particular neighborhood. Even though it may be recognized that a certain neighborhood is now predominantly Jewish, or Italian, or black, or Hispanic, the City cannot and should not attempt to preserve that character by keeping others of different ethnic or religious backgrounds out of that neighborhood. While it is entirely appropriate for the City to attempt to protect a community's current residents from dislocation if the neighborhood is undergoing transition, this type of intervention is not based on race, religion or ethnicity.

Recommendations 21. That the Department of Ports, International Trade and Commerce develop a plan for the creation of a new Hunts Point facility on the 60 acres next to the Hunts Point Market. This facility would provide an incubator for small, innovative firms and space for additional wholesalers. Specific efforts should be made to attract Hispanic wholesalers and Hispanic businesses which meet the criteria for such incubator space.

The Department of Ports, International Trade and Commerce (PITC) has initiated a Master Plan for new development at Hunts Point of 93 acres of vacant land to provide several facilities for wholesale food distribution, warehousing and food processing. These

facilities will provide space for Hispanic businesses and, in fact, should offer greater opportunities than a single facility.

Development will proceed in three phases. Phase I, outlining the components of the Master Plan, will be completed by the end of October, 1987. Phase II, identifying the need for market facility space by developing a list of all food wholesalers, processor and distribution companies, should be completed by January, 1988. This phase will include special efforts to identify the needs of Hispanic and other minority companies. Phase III, building design and the determination of construction costs, rental requirements and funding, is expected to be completed by December, 1988. The Requests For Proposals will require the developer to provide a portion of the space to small and start-up companies.

Recommendation 22. That the City and appropriate legislative bodies make the changes necessary to redesign the procedures for the purchase of small parcels of City land for economic use to eliminate existing delays.

The City's public review process and approval process is lengthy and can prove difficult for small businesses seeking to purchase city-owned land. PDC is designed to assist firms through the public review process which includes Community Board, Borough Board and Board of Estimate approval. Where appropriate, a PDC staff member can work with the purchaser of City-owned land to work through the often burdensome red-tape. PDC has also modified its regulations regarding land disposition (see Recommendation 12 above).

The City has developed draft legislation, now under review, which would create a public benefit corporation with the power to shorten the existing review process in order to accomplish projects in the City's low-income neighborhoods (see Chapter 5).

Recommendations 23. That the Mayor appoint an advisory group to recommend legislative and regulatory changes that will enable the small and medium-size businesses to receive an expeditious response as to whether small land purchases of City-owned land can be made. The study group should submit its report to the Mayor within six months.

Recommendation 24. That, in order to address the expressed frustration at the process of acquiring land from the City, there be regular communication with the interested purchaser and with other relevant agencies involved with the process. If the particular site is unavailable, there needs to be additional outreach to help Hispanic businesspeople obtain alternative sites.

Before PDC can work with a firm to sell it a city-owned parcel, the prospective sale must be reviewed by the city's interagency Disposition Committee to ensure that no city agency needs the parcel for its operations. After review by the Disposition Committee, a hold is put on the parcel, signifying that PDC has a project for the parcel, allowing it to proceed with the interested business. On the other hand, if the Disposition Committee finds that the parcel is needed by a city agency, then PDC will not begin work on the sale and will inform the firm that the parcel is not available. In these cases, PDC will work with the firm to find an alternative site. Throughout the process, PDC staff strives to keep the prospective purchaser fully informed.

Recommendation 25. That the City's principal economic development agencies continuously work toward assuring that affordable retail space for essential services is available in all neighborhoods. HEDO together with the appropriate City agencies should report to the Mayor within six months as to how this can be accomplished.

The Administration submitted legislation to the City Council which would amend the Administrative Code by adding a new chapter entitled: Regulation of Commercial Leases. The Chapter would require, at the request of retail and service tenants who occupy less than 10,000 square feet, that landlords enter into mandatory negotiation and non-binding mediation to discuss the possibility of lease renewal. Additionally, the Chapter would give tenants the right to one-year extensions on their leases, with a limit of a 15% in rent, in the case that lease renewal cannot be agreed upon.

Through mediation and lease extension, this legislation will facilitate the adaptation of small retail establishments to current market conditions, without seriously undermining the market system of commercial space allocation.

This proposed legislation has been the subject of City Council hearings and positive action is expected on it this fall.

CHAPTER 4: HOUSING

PERSPECTIVES ON HOUSING

New York City residents occupy 2.8 million housing units. With a vacancy rate estimated in 1984 at 2.04%, and with the near-total withdrawal of the federal government from the business of providing low- and moderate-income housing, the need for large-scale initiatives to produce affordable housing is clear.[1] For these reasons, Mayor Koch has made housing his administration's top priority and has announced an ambitious, $4.2 billion ten-year plan to construct affordable housing.

These initiatives were applauded by the Commission on Hispanic Concerns, with a cautionary note expressing the Commission's hope that Hispanics would receive their fair share of the new housing created. The housing crunch has had its strongest impact upon poor New Yorkers. The report, Housing in New York City: Study of a City 1984, (Stegman Report) concluded that one-third of all New York renters spend more than 40% of their income on housing and 23% spend 50% of their income on rent. According to statistics cited in the Hispanic Commission Report, the median rent/income ratio for Puerto Rican households is 35.4%, compared to 29.2 percent for all city renters. Puerto Ricans are also less likely to be homeowners: although Puerto Rican homeownership increased from 8.6% in 1981 to 10.5% in 1984, this rate is still low compared to the 1984 rates of homeownership among whites (37.8%) and blacks (26.5%).

The housing shortage is acutely felt by the poor. From 1981 to 1984, average rents increased by 26% from $265 a month to $330.[2] This increase is a harsh blow to poor New Yorkers, especially those on welfare. This is compounded by the 1% vacancy rate for units with rents under $200 a month.[3]

The Housing Authority has also been affected by the housing shortage. The Report of the Commission on the Year 2000 estimates that 35,000 families are doubled up, many of whom are Hispanic. As a result of the shortage, there is a low turnover rate of 3.2% and a twenty year wait for an apartment in New York City Housing Authority projects.

Statistics from the Department of Housing Preservation and Development, cited in the Hispanic Commission Report, show improvement in living conditions for Puerto Ricans. In 1984, 7.6% of Puerto Ricans lived

in dilapidated housing units, an improvement from 9.4% in 1981, while 32.5% lived in units with three or more maintenance deficiencies, an improvement from 38.1% in 1981. These increases still leave room for further improvement: the comparable figure for white household in 1984 was 11.2%.

The Report of the Commission on the Year 2000 stated the problem succinctly: "For many low- and moderate-income households the market does not work; the federal government, which has bridged the gap for such families in the past, has now abdicated its responsibility. Creating an open market to house all income levels may well be the city's greatest challenge for the future."

The narrative which follows highlights some of the City's initiatives undertaken to meet that challenge.

PROGRAM HIGHLIGHTS ON HOUSING

The City's Department of Housing Preservation and Development plans and carries out City programs relating to urban renewal, public housing, and neighborhood preservation. The Department also oversees the management of property acquired by the City for housing or urban renewal purposes and enforces the laws which govern the rehabilitation or maintenance of housing. The agency's functions are divided among the Office of Development, the Office of Rent and Housing Maintenance and the Office of Property Management. In August 1987, HPD centrally managed 4,224 buildings or 37,101 units throughout the City of New York. Of these, 1,838 buildings (44%) or 19,451 units (52%) are located in neighborhoods whose population is 30% Hispanic or greater.

In the face of a critical need for housing, the Mayor has designated housing rehabilitation and construction as a top priority. The lack of private construction of low- and middle-income rental apartments and a low vacancy rate are factors contributing to the housing crisis. To ease this housing shortage, the City has developed a ten-year $4.2 billion plan to produce, preserve, and upgrade 252,000 housing units. The Mayor's Ten Year Plan earmarks 64% of the $4.2 billion in funding to benefit low-income households, and 21% for moderate-income households. City and State financial resources have been committed to ensure the success of this initiative. During Fiscal Year 1987, the Department of Housing Preservation and Development tripled its capital commitment plan. To meet the target set by the Mayor's Ten Year Plan, HPD has initiated several new projects aimed at producing 7,200 units of affordable housing in vacant in rem buildings. These include the Vacant Building Program, the Construction Management Program and two initiatives utilizing low-income tax credits in conjunction with the Local Initiatives Support Corporation and the Enterprise Foundation. The bulk of HPD programs for low and moderate-income households will effect substantially Hispanic neighborhoods.

For example, within the Office of Property Management, 109 projects are in the design and construction phase under the Bureau of Housing Redevelopment Operations. Of these, 78 projects, or 72%, are in Community Boards with significant Hispanic populations (defined as those with a Hispanic population of 30% or higher); 12 out of 18 completed projects are in

Community Boards with significant Hispanic populations. In the Urban Homesteading Program, of the 153 units currently in the program, 103 units or 67% are in Community Boards with significant Hispanic populations. As of August 1987, the DAMP workload consisted of 593 buildings with 13,870 apartments. Of this total, 339 buildings (57%) with 8,889 units (64%) are located in Community Boards with significant Hispanic populations. (HPD estimates that 50% of the approximately 50,000 tenants who have participated in DAMP programs since 1978 are Hispanic.) Of the 16 groups selected to participate in the Community Management Program for FY 1988, seven of the groups are run by Hispanic staff and 75% are in neighborhoods which contain significant Hispanic populations.

Within HPD's Office of Development, several programs create housing through substantial rehabilitation of vacant City-owned building. Overall, of 838 units for which funding has been committed, 50% are in Community Boards with significant Hispanic populations; furthermore, 78% of 9,150 units which are in the planning stage are in such communities. In regard to the use of vacant land for new construction programs, among 2,935 units for which funding has been committed, 54% are in Community Boards with Hispanic populations of 30% or higher. In addition, the Bronx portion of the Construction Management Program will create 929 units in Community Board #4.

In response to the recommendation of the Commission on Hispanic Concerns that the City establish a demonstration project in East Harlem to rehabilitate vacant in rem buildings for low and moderate-income housing, HPD formed an Agency Task Force to develop the East Harlem Initiative. The HPD Agency Task Force has agreed to coordinate its efforts toward housing development with the economic development plans the Public Development Corporation has begun to formulate for the East Harlem community. The East Harlem Initiative will involve other appropriate agencies as well. (See also Chapter 5.) The local Community Board has been invited to join the City to provide input into the design of this Initiative. Deputy Mayor Esnard has recommended that the City and the local Community Board establish a working group to develop a timetable for the rehabilitation of city-owned buildings in East Harlem to provide low- and moderate-income housing. If successful, the East Harlem Initiative would serve to improve the housing situation of Hispanic and other local residents.

HPD continues to work with the Mayor's Office of Housing Coordination to streamline the procedures related to housing construction and renovation. The changes which have been effected thus far, in areas including environmental quality review, sewer connections, and insurance certification processes, will favorably benefit small businesses, including small Hispanic businesses.

HPD has engaged in an extensive effort to provide Hispanic developers, contractors, and business professionals with information regarding housing development. In the past six months, HPD has participated in three conferences targeted specifically toward Hispanics. HPD has planned a city-wide informational conference to be held this fall. HPD staff with bilingual ability will be available to provide information about HPD's loan programs and contract procedures. This conference will also target entrepreneurs who want to participate in the Mayor's Ten Year Affordable Housing Plan.

HPD awarded 4,276 contracts to Hispanic businesses that qualify as LBEs during FY 1987 including 32 community consultant contracts in substantially Hispanic neighborhoods. In FY 1987, approximately half of the new commercial leases awarded were to Hispanics (30 of 65, or 46%). It is also estimated that at least half of all commercial leases are held by Hispanics.

STATUS REPORT ON INITIATIVES IN HOUSING

VACANT IN REM BUILDINGS

Recommendation 1. That the City preserve 70 percent of its vacant in rem buildings for low and moderate-income housing in the South Bronx, East Harlem, the lower East Side, Williamsburg, Sunset Park and Jackson Heights. This percentage reflects the Mayor's budgetary set aside for low and moderate-income housing set forth in the Mayor's Ten Year Plan.

The City's Department of Housing Preservation and Development (HPD) shares the concern of the Commission and is committed to rehabilitating vacant City-owned housing. HPD's goal is to fashion programs to meet the varying and diverse needs of the City's neighborhoods.

The 4.2 billion contained in the Mayor's Ten Year Plan, earmarked 64% of the funding to benefit low-income households (up to $15,000) and 21% of the funds for moderate income households ($15,000 to $25,000). A total of 85% of all Ten Year Plan funds will go to these two income-level residents City-wide.

The Mayor's Ten Year Plan calls for the rehabilitation of 16,000 vacant and 36,000 occupied in rem units for low-income households and 10,000 vacant units for moderate income households. The Mayor's Ten Year Plan also provides for construction of 7,000 ownership units for moderate-income households and is targeted to buildings throughout the City. To the extent that a neighborhood includes vacant in rem buildings, those buildings will be the focus of rehabilitation efforts.

Neighborhoods and local needs vary; some neighborhoods, because of the type of housing stock and the level of achievable rents, may require a larger amount of city subsidy than other neighborhoods. Give the variance, it is not reasonable to target percentages of units in given neighborhoods that will be rehabilitated for specific income groups.

This year the City announced some new initiatives aimed at producing 7,200 units of affordable housing in

vacant in rem buildings to meet the target set in the Mayor's Ten Year Plan affordable to low- and moderate-income New Yorkers. The Vacant Building Program will create 3,400 new units throughout the city with several site parcels located in East Harlem.

In addition, the Construction Management program will create another 1,800 units on two sites in the South Bronx and Harlem. The Local Initiatives Support Corporation (LISC) in conjunction with the Enterprise Foundation will provide equity and technical assistance to not-for-profit groups to develop and manage 2,000 units of low-income housing. These three initiatives utilize vacant in rem buildings, but with a different emphasis depending upon the type of building, site size and various income ranges and mixes for the residents.

In addition, the number of vacant in rem buildings in the City or any neighborhood is fluid. Today's stock will be different from next year's stock. This is due to the fact that our stock is created by vesting which occurs after nonpayment of taxes. We do not know which buildings will fall into our jurisdiction. In this context, our plans are modified to accommodate the fluidity.

The bulk of HPD programs for low- and moderate-income households are located in neighborhoods which have significant Hispanic populations (defined as those with a Hispanic population of 30% or more). Within the Office of Property Management, vacant in rem buildings are rehabilitated through the Bureau of Housing Redevelopment Operations and the Urban Homesteading Program.

For the Bureau of Housing Redevelopment Operations, of 109 projects with 4,589 units in the design and construction phases, 78 projects with 3,324 units or 72% are in Community Boards with significant Hispanic populations. Of the 18 projects with 651 units which have been completed, 12 projects with 422 units or 65% were in significantly Hispanic Community Boards.

For the Urban Homesteading Program, of the 153 units currently in the program, 103 units or 67% are in Community Boards with significant Hispanic populations.

Of the 110 units completed and sold as cooperatives, 71 units or 65% were in significantly Hispanic Community Boards.

Within the Office of Development, there are several programs which create housing through substantial rehabilitation of vacant City-owned buildings, including the Vacant Building, the LISC, MAC and Housing Development Action Grant (HoDAG) projects. Overall, 838 units, 50% of which are in significantly Hispanic Community Boards, have had funding committed. In addition, 9,150 units are in the pre-commitment/planning stage. Of these units, 78% are in significantly Hispanic Community Boards.

For the Vacant Building program, of the 1,019 units which have been approved by the Board of Estimate, 43% are in significantly Hispanic Community Boards. Of the 4,648 units in the planning stage, 66% are in significantly Hispanic Community Boards.

For the LISC program, of the units being considered, 82% are in significantly Hispanic Community Boards. Approximately 1,000 units will be selected.

In the MAC program, 67% of the 403 units in the planning stage for substantial rehabilitation are in significantly Hispanic Community Boards.

In the Housing Development Action Grant (HoDAG) program, of the 230 completed units, 15% are in Hispanic Community Boards. 50% of the 814 units for which funds have been completed, and 82% of the 1,189 units in the planning stage are in significantly Hispanic Community Boards.

Of the 585 units to be rehabilitated as part of the Cross Subsidy rehabilitation program, 100% are in significantly Hispanic Community Boards of the Lower East Side and Williamsburg.

Recommendation 2. That the City reserve 70 percent of its vacant lots in the South Bronx, East Harlem, the Lower East Side, Williamsburg, Sunset Park and Jackson Heights for construction of moderate and middle-income

housing, the funds of which will be used to subsidize low-income rehabilitation.

While the City owns many vacant property lots, many are not suitable for new construction. In areas such as Williamsburg, Sunset Park and Jackson Heights, the City has recently completed its inventory of vacant lots and determined there are few buildable sites. These lots will be used for other purposes such as economic development or other pressing City needs. In other neighborhoods, housing sites would have to be assembled before a significant number of buildable sites could be developed.

Where assembled building sites have substantial market value, HPD is ready to explore use of that resource by disposing of the property at no dollar cost, and taking back the value of the property in low and moderate-income housing units on or off site.

HPD evaluates available and potential vacant land for new housing for use in new construction programs, including the Section 235 and Partnership homes, Cross-Subsidy, Section 202 and MAC projects. Overall, there are 2,935 units of new construction for which funding has been committed, 54% of which are in significantly Hispanic Community Boards. Another 3,489 units, 53% of which are in Hispanic Community Boards, are in the pre-commitment/planning stage. (Note: a "significantly Hispanic" Community Board is defined as one where the population, using 1980 Census data, is at least thirty percent Hispanic.)

In the Section 235/Partnership program, 100% of the units completed, committed and planned are in significantly Hispanic Community Boards.

In the new construction part of the Cross-Subsidy programs, 60% of the 2,280 units in the planning stage are in significantly Hispanic Community Boards.

For Section 202 projects, 23% of the 441 completed units and 43% of the 1,067 units for which funding has been committed are in significantly Hispanic Community Boards.

Of the 622 new units planned under the MAC program, 91% are in significantly Hispanic Community Boards.

THE EAST HARLEM INITIATIVE

Recommendation 3. That the City establish a demonstration project in East Harlem to rehabilitate 70 percent of its 2,790 vacant in rem units for low and moderate-income housing. That as a part of the East Harlem demonstration project, HPD develop a community plan aimed at using vacant in rem housing to stop Hispanic displacement in that community.

The proposed demonstration project was formulated as the result of several meetings between HPD and the Housing Subcommittee of the Commission on Hispanic Concerns. HPD agreed that a demonstration would help to preserve neighborhood housing stock and meet the housing needs of that community. To that end, an Agency Task Force comprised of Deputy Commissioners Jack Olivero, Mark Willis, Robert Moncrief and Assistant Commissioner Phillip Weitzman was established to closely review the City's vacant in rem housing portfolio. As stated above, HPD cannot commit to a specific percentage of low- and moderate-income housing.

Deputy Commissioner Mark Willis is now chairing the Task Force as Jack Olivero has recently become the President of the Rehabilitation Mortgage Insurance Company (REMIC). HPD has prepared maps and has completed its analysis of sites and will present them to the newly-appointed Community Board to begin the process of a formal program development. In approaching the task, HPD will benefit from experience gained in its recently completed agreement for the development of in rem stock on the Lower East Side. (See Chapter 5.)

Recommendation 4-5 That as part of the East Harlem demonstration project, HPD dispose of vacant in rem buildings through the following mechanisms:

- o A private Hispanic business organization that could develop and manage affordable housing in cooperation with community-based organizations.

- o A general contractor or construction manager who could renovate the units pursuant to a contract which sets forth the total cost. The contract could also specify that upon

completion of the units, the general contractor or construction manager would sell the units to a community-based organization for a set price. The funds for this purpose would be provided by the City.

- o A neighborhood mutual housing association that could develop and manage affordable rental units.

The Commission suggested three mechanisms for disposing of buildings in the demonstration project. All three are under serious consideration by the Agency Task Force (see above). The Task Force will examine the realistic feasibility of each option. HPD's initial response to the options is a function of the funding level for developing low- and moderate-income housing. More specifically, with regard to the first option, City-owned property is not disposed on a sole-source basis and any business organization, including Hispanic business organizations, must adhere to the guidelines for disposing of City properties through an open, fair and orderly process. As for the second option, the construction manager model assumes a significant cluster of buildings within a specific geographic range to be most effective. In terms of the third option, mutual housing requires capital for its formation. The Lower East Side Mutual Housing Association was funded through HUD discretionary money, Neighborhood Reinvestment Corporation and other monies raised. To establish a mutual housing model in East Harlem, HPD would suggest seed money be obtained through either private financing, the Neighborhood Reinvestment Corporation or a foundation. Once established, HPD would be happy to work with the group. The Task Force should also consider a fourth option: subsidizing low and moderate-income housing by sales of either land or buildings.

Further discussions of options will be part of the on-going discussions between the Task Force and the Community Board so that a decision with the input of community representatives can occur.

Recommendation 6. That HPD use the East Harlem demonstration project as a model to develop neighborhood

plans to guard against Hispanic displacement by direct or indirect City actions in the following areas: the Lower East Side, Williamsburg, Sunset Park, the South Bronx and Jackson Heights.

If the East Harlem Initiative is successful and if the basic housing portfolio of the other communities is similar, we will use it as a model for other neighborhood plans. However, we should caution that a wide variety of factors contribute to a successful project.

Recommendation 7. That HPD initiate corporate sponsorships of particular in rem buildings that are suitable for sweat-equity rehabilitation of low and moderate-income housing.

Community organizations are welcome to solicit funding from private corporations for sweat-equity projects. As much as sweat-equity projects should be encouraged, HPD's experience shows it does not produce significant numbers of apartments. These projects should be used in conjunction with other major programs. Nonetheless, small-scale sweat-equity projects will be considered as one of the possible methods of rehabilitating buildings if groups are funded through private means.

Recommendation 8-9. That the City allocate funding to HPD's Division of Alternative Management (DAMP) and other property management programs to enable them to expand cooperative conversion of occupied in rem units. That HPD make an aggressive outreach effort to recruit more predominantly Hispanic buildings into the Division of Alternative Management and other property management programs.

HPD's Neighborhood Preservation Offices located throughout the City are the locally-based information and referral source for all New Yorkers interested in HPD's housing programs. More specifically, DAMP programs are well equipped to handle applications from Spanish-speaking groups. DAMP has many bilingual staff members (including both of the Tenant Interim Lease (TIL) Intake Coordinators). Standard printed materials on the programs are distributed in Spanish on a routine basis

and training and orientation courses are held in Spanish several times each year.

The majority of DAMP buildings in the City are located in Community Boards with high percentages of Hispanic families. (HPD estimates that 50% of the approximately 50,000 tenants who have participated in DAMP programs since 1978 are Hispanic). DAMP programs are open to applications from any group of organized tenants in a City-owned building. During Fiscal Years 1985 and 1986, intake of new buildings into DAMP programs was higher than at any time since the first two years of DAMP operation: 236 buildings with 6,049 apartments entered DAMP between July, 1984 and June, 1986 and DAMP is continuing to grow. The current DAMP workload (as of August 1987) consists of 593 buildings with 13,870 apartments. Of this total, 339 buildings (57%) with 8,889 units (64%) are located in significantly Hispanic Community Boards.

Many of the 331 buildings which presently participate in TIL and the 175 buildings already sold to their tenants through TIL (again approximately half) have Hispanic tenant association officers. During the last year, a Request for Qualification ("RFQ") was issued for the Community Management Program for Fiscal Year 1988, and 16 groups were selected to participate in the program. The RFQ was a competitive selection process which evaluated each group's experience in housing management and rehabilitation. Seven of the groups are run by Hispanic staff and are located in significantly Hispanic neighborhoods.

PERMIT PROCEDURES

Recommendation 10. That in performing its duties to streamline the procedures related to housing construction and renovation, the Mayor's Office of Housing Coordination focus on facilitating the participation of small Hispanic businesses, contractors and developers in the City's housing initiatives.

HPD is working with the Mayor's Office of Housing Coordination regarding streamlining permit procedures. The streamlining most heavily impacts small business and will thus favorably benefit Hispanic businesses. As recommended in the report of the Mayor's Panel of Affordable Housing (April, 1986), the improvement of City

processes, liberalization of zoning and the building code, elimination of restrictive labor practices, among others, are posed as viable avenues to cut procedural red-tape.

Over the past eight months, the City has streamlined several procedures relating to permits and the building codes. The most significant involved the creation of deadlines for various steps of the City's environmental quality review on Environmental Impact Statements. Previously, there were no formally-published deadlines. The Mayor's Office of Housing Coordination worked with various agencies and was instrumental in establishing deadlines for environmental quality reviews. It is now possible to complete the review process in 104 days.

It is also easier for developers to connect several houses to one sewer line. Previously, each house required a separate connection to the City sewer. This new procedure results in a savings of both time and money. Under certain conditions, similar connections may apply for water connections.

The City now also allows a single site plan for proposed sewer connection for large developments in place of individual connection proposals for each building.

In addition, the City has consolidated its insurance certification process. Contractors need only establish that a site is insured once, and a letter is issued for each City agency which requires it.

All of these changes result in streamlining of procedures related to housing construction and renovation.

There are also two other avenues available for Hispanic business. The first is the Mayor's Office of Hispanic Affairs that can assist and expedite the process of Hispanics doing business with New York City. HPD, through its Equal Employment Opportunity Office, also sponsors workshops for minority contractors to provide orientation to the Emergency Repair Program.

MAYOR'S TEN YEAR PLAN

Recommendations 11-12. That HPD, and such private entities as the New York City Housing Partnership, include Hispanic developers, contractors, bankers, entrepreneurs and financial brokers in the implementation of the Mayor's Ten Year Plan. That HPD provide training to Hispanic developers, business people and community-based organizations that wish to respond to requests for proposals.

HPD agrees that Hispanic developers, contractors and business professionals should be made more aware of developments. HPD offers to provide informational sessions to a wide array of public and private sector groups. In the fall of 1986, HPD suggested technical assistance in the form of public information and outreach as a way to enhance Hispanic participation in the process. HPD suggests that Hispanic financial institutions co-sponsor with HPD public information sessions. HPD will also furnish speakers to focus on two areas: programs and procedures. HPD staff will explain the major programs such as rehabilitation loans, small homes and the Partnership. In conjunction with streamlining procedures, our speakers will explain the process of application, contract requirements and necessary clearances for approvals.

HPD is planning a city-wide conference targeted towards enterprises and individuals who desire information about HPD's loan programs and contract procedures. HPD staff with bilingual ability will be present to ensure communication with New York's diverse communities, included will be a special targeted effort to Hispanic individuals and enterprises.

The conference which is being planned for Fall, 1987 will also target Hispanics who want to participate in the Mayor's Ten Year Affordable Housing Plan, of which HPD is the lead agency. Special attention will be given to the marketing of the conference and the preparation of written material to be distributed at the conference.

HPD has also participated in three conferences targeted toward Hispanics during the past six months. All of these conferences allow Hispanics a better understanding of HPD's programs and the Mayor's Ten Year Plan. They are follows:

- Presenter on a panel entitled "Hispanics, the Housing Crisis and New York's Multi-Ethnic Neighborhoods" which was sponsored by the Institute for Urban and Minority Education at Columbia University.

- Guest Speaker at the Governor's Office of Hispanic Affairs on Economic opportunities within HPD to about eleven Hispanic Chambers of Commerce.

- In conjunction with the New York Housing Authority, HPD participated in a Hispanic/Minority Procurement Conference.

HOMELESS PREVENTION AND HOUSING COURT

Recommendations 13-17. That the City, using State and local Funds, establish an expanded homelessness prevention legal representation project in Hispanic communities such as the Lower East Side, East Harlem, Williamsburg, Sunset Park, Jackson Heights and the South Bronx. To carry out the following tasks:

- Represent all eligible individuals regardless of their citizenship status.

- Develop and implement criteria to identify those public assistance and low-income clients who are most likely to become homeless.

- Develop and implement plans to train marshals, court personnel and appropriate HPD and Human Resources Administration personnel on how to use the established criteria to make referrals to the project.

- Staff the project with Spanish-speaking attorneys, paralegals and support staff.

That HPD and the Human Resources Administration ("HRA") work with the Office of Court Administration ("OCA"), Chief Administrative Judge Joseph Bellacosa and Judge Israel Rubin, Administrative Judge of the Civil Court of the City of New York, to develop administrative processes to maximize the effectiveness of legal representation of low-income Hispanics and to physically integrate HRA's emergency relief units into the Housing Courts of each borough.

That all stipulations between landlords and tenants in which the tenant agrees to give up their apartment be explained before a judge to ascertain whether the parties actually understand and agree to the terms of the stipulation.

That sufficient interpreters be available to assist where necessary in all Housing Court proceedings, including the settlement process.

That bilingual Housing Court notices, including those informing tenants that a default judgement has been entered against them, be sent in all cases.

The City shares the Commission's concern over Hispanic displacement and homelessness and has taken a number of steps to address these concerns.

Neighborhood Law Offices

HPD presently funds a number of Neighborhood Law Offices, (community law offices and SRO anti-harassment offices), including East Harlem, the Lower East Side, Brooklyn and the Bronx, which are particularly sensitive to eviction and harassment of Hispanics. These Neighborhood Offices also work hand in hand with the State Division of Housing and Community Renewal (DHCR) to combat harassment.

Housing Court Programs

The OCA of the Civil Court has a program to recruit bilingual court officers, clerks and interpreters for court duty. Bilingual Housing Court notices, including those informing tenants that a default judgment has been entered against them, have been printed and will be available for use shortly. HPD and HRA worked together to institutionalize a program to assign social workers to Housing Court to address eviction and homeless prevention. The program is being implemented on a City-wide basis.

Any procedural items in Housing Court addressing the adjudication of cases fall within the jurisdiction of the Office of Court Administration. HPD supports any proposed bilingual efforts by the Commission to guarantee equity and fairness for all.

Fair Housing Strategy

The Commission expressed a concern regarding fair housing practices.

The Housing Court Dispute Resolution Project operates in Brooklyn, Bronx and Manhattan Housing Courts. The program is jointly run by HPD, HRA and the Fair Housing Task Force and is staffed by fair housing counselors. The program is designed to facilitate resolution of routine housing problems by using trained mediators, but, moreover to be an integral parts of HPD's Fair Housing Strategy. By working directly in Housing Court assisting the judges, trained mediators are able to help prevent large numbers of low income and minority tenants from being displaced, to provide landlords and tenants with the help they need in establishing schedules for payment and repairs and to assist in assuring that the existing housing stock is maintained and upgrades.

Through the City's Fair Housing Task Force, a coalition of federal, state, local and public-interest groups, HPD assists in combating discrimination by:

i. educating New Yorkers about the nature of housing discrimination:

ii. providing fair housing counseling services City-wide;

iii. expanding the City Commission on Human Rights' Fair Housing Division; and

iv. providing, in appropriate cases, direct access to federal or state court through a private law firm.

Although HPD's direct services are limited to City-owned buildings, we readily refer cases of alleged discrimination involving private dwellings to the City's Human Rights Commission.

As a result of a client needs assessment, HPD has reallocated staff services to address the needs of the Hispanic population in areas which have a high concentration of Hispanic households. Each of the Fair Housing Consultant groups, with the exception of the Mid-Manhattan Branch NAACP, has a counselor who is fluent in both English and Spanish. Moreover, the South Bronx Action Group, one the newly selected groups, is a Hispanic organization with a longstanding history of

providing multi-social and housing services to the residents of the South Bronx and surrounding communities.

To expand public awareness of the goals of Fair Housing and the services available to the public, a brochure has been developed in both English and Spanish which briefly describes the Fair Housing Program, the nature of discrimination, protected class members and lists the locations of the City-wide Fair Housing Counseling offices. Furthermore, each Agency will require the counselor to schedule public speaking engagements and develop community outreach literature.

Statistics from the Housing Court Dispute Resolution Project from January through June of 1987 indicate four of the eleven mediators (or 36%) are Hispanic, while Hispanics comprise 3,022 of the 8,187 tenant caseload (or 37%).

Recommendation 18: That the New York City Commission on Human Rights initiate investigations concerning housing discrimination against Hispanic buyers and renters in Staten Island and other boroughs.

In March 1986, the Fair Housing Division of the City Commission on Human Rights received a two-year grant from H.U.D. to "test" selected areas throughout the city to ensure that housing is made available to minorities. (The Division pursues individual complaints of discrimination as well.) During FY 1986, the Fair Housing Division conducted 21 tests of systemic discrimination (each test requires sending several Fair Housing testers out for multiple site investigations); since then the unit has conducted 41 additional tests (as of July 1987). The areas of concentration are those which historically have excluded many minorities including Hispanics. The Commission on Human Rights has targeted Staten Island for this type of investigation, as well as all parts of the city where minorities are systemically excluded.

Recommendation 19: City Commission on Human Rights make special outreach efforts into the Hispanic community to inform them of their legal rights as prospective buyers or renters of real property.

The Commission on Human Rights agrees that more needs to be done to inform and assist Hispanic citizens. In 1986, only 20% of the total CCHR caseload was filed by Hispanic complainants, an inadequate reflection of the problems faced by Hispanics in their quest for decent housing. The Commission encourages all advocacy groups

to refer any and all allegations of housing discrimination to the Fair Housing Division. The Fair Housing Hotline (212-946-7000) was established several years ago to provide 24 hour-a-day access to the Fair Housing Division. The taped message is in both English and Spanish and, during regular office hours, several bi-lingual investigators are available for both hotline and intake duties. All publicity and outreach by the Commission and the New York Fair Housing Task Force have been done in English and Spanish.

As part of the Hispanic Heritage Week the Commission on Human Rights will host a briefing for the Hispanic community on Wednesday, September 16. The purpose of the briefing is to acquaint the leaders of the Hispanic community with the services rendered by the Commission with a special focus on the new Immigration Law, housing discrimination, employment opportunities and discrimination complaint processing. This is the first in a series of briefings the Commission will host as part of new outreach efforts to the various ethnic communities.

CHAPTER 5: PUBLIC BENEFIT CORPORATION

That the City prepare and introduce legislation creating a Hispanic Public Benefit Corporation based on the powers provided to the New York State Urban Development Corporation. Such an idea has been endorsed in principle by groups which have thought seriously about long-term solutions that would enhance Hispanic economic development and housing availability. The Hispanic Public Benefit Corporation will have several powers including assembling and selling publicly owned sites and buildings through the request for proposal process or on a negotiated basis, waiving local building codes and zoning requirements if compliance is not feasible, hiring personnel in a manner which is exempt from Civil Service law requirements, etc.

The Commission is correct in its belief that the variety of public reviews and approvals which are mandated in New York City slow the pace of the development process and can act as a disincentive to development, particularly in the city's low- and moderate-income neighborhoods. On the other hand, limiting community participation and waiving zoning would raise serious issues of public policy.

In response to the Commission's recommendation, over the last six months the city has researched the design for a public benefit corporation with expanded powers to undertake development in the city's low-income neighborhoods. The city has now drafted legislation which would create such an entity and, after further review, it will be submitted for consideration during the next legislative session.

At the same time, the city has pursued concrete plans that will accomplish many goals similar to those of the corporation -- the more rapid development of affordable housing and the initiation of solid economic development projects, especially in the city's low-income and minority neighborhoods, and greater opportunities for Hispanic entrepreneurs, developers, and community-based organizations to participate in these projects. Initiatives which aim to achieve these goals include the Vacant Building RFP under the Department of Housing Preservation and Development (see Recommendation 1, Chapter 4), and PDC's modification of land disposition procedures and efforts to increase outreach to Hispanic developers and local community leaders (see

Recommendation 12, Chapter 3). Most recently, the city has developed a comprehensive plan to address the need for housing and economic development of the East Harlem community, the "East Harlem Initiative."

East Harlem Initiative

To fulfill the Mayor's commitment to address the housing and economic development needs of the East Harlem community, PDC and HPD are coordinating a comprehensive two-part initiative. The Deputy Mayor for Physical Development, Robert Esnard, has invited the ongoing input of Community Board 11 into the design of this "East Harlem Initiative." It is proposed that, as a first step, the City will survey the land uses in East Harlem to identify industrial, commercial and housing opportunities. HPD and PDC will then harness city resources to turn these opportunities into concrete projects supplying housing and economic development for the community. In addition to the lead agencies, the East Harlem Initiative will draw upon other appropriate city agencies such as City Planning and the Division of Real Property.

PDC has already outlined a study which will form the data base for a master plan for the development and disposition of city-owned property in East Harlem. In the past, PDC has worked with HPD, DRP and other city agencies to devise similar master plans for area redevelopment. The East Harlem Master Plan will allow PDC and HPD to evaluate the area's strengths and weaknesses, assess what city resources are available to further rejuvenation, and devise and implement a comprehensive plan to stimulate economic and housing development in the East Harlem area.

PDC will retain a consultant to provide information in four general categories: identify and define the study area through mapping, and census and demographic data; identify physical conditions, such as public streets and service infrastructure; determine land use (residential, retail, manufacturing, etc.); and, evaluate the information and formulate recommendations for disposition.

To date, PDC has formulated the Scope of Services to be provided by the consultant who will prepare the Master Plan survey. The RFP for these services will be issued within four weeks. The boundaries of the study area have been refined. The proposed study area is approximately

as follows: East 97th Street on the south, East 142nd Street on the north, FDR Drive on the east, and the east side of Fifth Avenue on the west. PDC has circulated this scope to the appropriate city entities, including HPD, OMB, and DRP. Before issuing the RFP for consultant services, the Community Board will be asked to provide comments on the study.

In the second phase of the initiative, PDC and HPD, working with other appropriate city agencies, will develop a Disposition Plan for the area drawing upon the consultant's recommendations and community input.

CHAPTER 6: PRIVATE SECTOR EMPLOYMENT

PERSPECTIVES ON PRIVATE SECTOR EMPLOYMENT

As the Commission on the Year 2000 pointed out, the economy of New York City is "booming" and Hispanic New Yorkers have participated in this economic resurgence. Between 1977 and 1985, there was been an increase of approximately 300,000 private sector jobs in New York City, the largest eight-year job increase on record. From 1978 to 1985 employment among Hispanic New Yorkers rose by 83,000 or 22%.[1]

The economic growth in New York City has outpaced the national growth. The United States Department of Labor, in its 1987 mid-year report, stated that "this year marked the first time in nearly 20 years that the city's jobless rate slipped below the national."[2]

According to the Department of Labor, the jobless rate for Hispanics declined from 11.6% in the first half of 1986 to 8.7% in the first half of 1987. While the New York City Hispanic unemployment rate of 8.7% was lower than the 9.5% jobless rate for Hispanics nationwide, the unemployment rate among Hispanics was still higher than the citywide rate of 6%, the lowest in 14 years.[3] As reported by the Commission on the Year 2000, unemployment rates for black and Hispanic males have historically been twice those of white and Asian males.[4]

The Hispanic workforce does not reflect the same level of job diversification as seen in the white workforce. In 1982, 63% of all Hispanic males and 58% of all Hispanic females were employed in the manufacturing and service sectors of the economy.[5] This concentration is of particular concern given the decline in manufacturing jobs over the last ten years. In fact, one reason that the unemployment rate dropped among Hispanics in the first half of 1987 was that, over the same period of time, the decline in manufacturing jobs was not pronounced.[6]

The Commission on the Year 2000 predicts that between now and the end of the century, a robust New York City economy will produce another 300,000 new jobs, but also cautions that "the region's labor force will grow only three-fourths as fast." In addition, most of these new jobs will be in the service sector, where 90% of the new jobs will require high school diploma, and most of the job loss will be in manufacturing.[7] Both of these trends pose challenges to the Hispanic Community.

The following narrative highlights some of the initiatives taken by the City to increase economic opportunities for Hispanic workers and to facilitate Hispanic participation in a rapidly changing and growing economy.

PROGRAM HIGHLIGHTS IN PRIVATE SECTOR EMPLOYMENT

As the City experiences economic recovery and expands its employment base, new job opportunities become available. The Commission on the Year 2000 projects that between now and the year 2000, the City's economy will produce an additional 300,000 jobs.

This good news creates a challenge and underscores a persistent problem. The challenge is to prepare the city's workforce for the jobs of tomorrow. The persistent problem -- although one whose scale has been significantly reduced in recent years -- is the disparity between the unemployment rates of minorities and those of white New Yorkers.

In this dynamic environment, the City government plays many roles. It is of course an employer, and as the City has been restored to its pre-fiscal crisis strength, the City workforce has grown. (See the following chapter for a discussion of Government Employment.) The City also attempts to harness the economic power of the private sector to achieve the policy objective of equal employment oportunity. The City negotiates, monitors, and enforces agreements with the private sector companies to remedy apparent under-utilization of minorities and/or women. The main vehicle for this program is Executive Order 50 (E.O. 50) which places certain equal employment obligations on city contractors.

To oversee these contractual relationships under E.O. 50, the Mayor established the Bureau of Labor Services (BLS). From January, 1987 to June, 1987, BLS entered into 23 agreements with New York City contractors, after determining that there was a disparity between the number of minorities and women in their workforces and representation of those titles in the labor pool. These agreements were negotiated after a careful analysis of the employer's job policies, procedures, benefits, hiring practices, and minority and/or women workforce representation. The agreement then attempts to address this documented underutilization by projecting an increase in recruitment efforts.

Specifically, the Bureau of Labor Services has requested seven employers to aggressively recruit from Hispanic organizations. Among the Hispanic organizations listed to serve in the recruitment of Hispanics are

HACER/Hispanic Women's Center, Aspira, National Puerto Rican Forum, PROMESA, and Solidaridad Humana. In addition, the Bureau requires that employers advertise job openings in Spanish-language newspapers.

The Bureau's Construction Division, with a caseload of over 600 prime contracts and 800 sub-contractors subject to E.O.50, held over 300 pre-award conferences with contractors to set forth their obligations and responsibilities under E.O.50. Once construction work on a project begins, the Construction Division will continue to monitor the firm's compliance through periodic site visits and payroll audits.

During the first six months of 1987, the Bureau's survey of 13,484 workers in the trades showed 5,141 minority workers, or 38% of the total workforce of City construction contractors. During these six months, 89 contractors were notified of under-utilization of minorities and/or women.

The City will continue to enforce compliance in private employment in order to achieve the goal of proper representation of minorities among all employers doing business with the City.

A second partner in the City's program to promote private sector jobs is the Department of Employment (DOE). Over the past three program years, DOE has provided service to an increasing number of Hispanic clients. In PY (program year) 84, there were 10,750 Hispanic participants who graduated from DOE's core grant program, representing the largest DOE division serving adults and youth. During PY85, that number had risen to 11,523; by PY85, the number had increased to 11,674. However, since overall participation also increased, the percentage of HIspanic clients remained relatively constant, fluctuating from 32% to 34.7% to 33.1% in those respective years.

Over the same period of time, there has been slight improvement in the placement rate for Hispanics in unsubsidized jobs, rising from 62.1% in PY84 to 67.9% in PY85 and dropping to 65% in PY86.

The level of Hispanic participation on DOE's smaller programs has been increasing. In a program operated in conjunction with the State Department of Euducation to provide training in Basic Skills, the level of Hispanic participation rose to 38.4% in PY86 compared to 31% in

the previous year. In DOE's City Works program, Hispanics represented 35.3% (through the third quarter of PY86) compared to 32% the previous year.

To enhance the efforts of contractors to increase their service levels to HIspanics, DOE has developed the "Hispanic Initiative." In May, 1986 DOE released a Request for Proposals to insure that community based organizations focused on delivery of services to the Hispanic community. As a result of the Hispanic Initiative, a total of $1 million was awarded to four organizations: PROMESA, Borough of Manhattan Community College; ARAWAK; and Wildcat Services Corporation. A total of 262 Hispanics are targetted to receive classroom training (concentrating on occupations of customer service representatives, caseworker aides, institutional cooks and health care aides) and/or limited job training (primarily in public agencies throughout the City). Seventy percent of total enrollees are to be placed in full time, unsubsidized employment, and another 10 percent are targetted for direct job placement.

STATUS REPORT ON INITIATIVES IN PRIVATE SECTOR EMPLOYMENT

Recommendation 1. That all companies receiving City subsidies or tax benefits for economic development projects be required to provide training for the unemployed. The Commission proposes that the Mayor prepare an executive order that would require that a specific number of training opportunities be provided for a particular amount of subsidies received. If necessary, legislation should be introduced to establish such a program.

Providing jobs for unemployed city residents is the highest priority for the City's economic development programs. The City strives to achieve this by targeting economic development benefits to those firms which provide the greatest number of low and moderately skilled employment opportunities and by training and referral services which prepare low- and moderate-income New Yorkers to compete successfully for these jobs. The City believes that this targeted approach is more effective than a blanket requirement that each firm receiving City assistance directly provide training.

The City's financial assistance programs operated by FSC are a prime example. Most companies receiving FSC assistance are small firms which offer low and moderate skilled employment opportunities. An Employment and Training Specialist visits each firm regarding their employment projections and the variety of employment services which FSC and the Private Industry Council can provide. In many cases, firms sign First Source Agreements under which they agree to use Private Industry Council referrals of economically disadvantaged persons as their first source for all hiring. As a result of these efforts, as many as 65% of the jobs in firms receiving FSC assistance are held by low- and moderate-income individuals and over 55% of the jobs are held by minority employees.

In addition, the Office of Business Development (OBD) works with individual firms and also with entire industries to fulfill their need for trained workers. For example, since 1985 OBD has worked with the furniture industry and the Federation Employment and Guidance Service to accomplish the training and placement of 105 individuals in entry level jobs.

In regard to hiring of trainees, tax abatement applicants are required, under a regulation of the Industrial and Commercial Incentive Program (ICIP), to ensure that their construction contractors and subcontractors hire one economically-disadvantaged trainee for every four journey-level workers on tax abatement sites. This regulation is enforced by the city's Bureau of Labor Services (BLS).

The Bureau is currently monitoring 172 contracts and sub-contracts with a dollar value of $1.3 billion on ICIP projects. ICIP regulations require that contractors who do not make a good faith effort to utilize trainees as required must pay a penalty equal to the amount of trainee wages and benefits.

Recommendation 2. That job-related English classes such as Basic Occupational Language Training program be expanded to give the increasing number of limited English speaking ability workers a better opportunity to enter the job market.

The training programs run by the Department of Employment (DOE) are primarily supported by federal Job Training and Partnership Act (JTPA) funding and Hispanics are served in proportion to their size among the eligible population. To be eligible, the unemployed person must demonstrate that he or she has the equivalent of a seventh grade education through an examination which is administered in English. DOE programs are forced to concentrate their efforts on the eligible population because of the need to maximize limited funds to place as many people as possible in jobs and because course time is limited to meet federal requirements to qualify for the approximately $3 million available in annual incentive awards.

Some programs funded under JPTA do provide language instruction for those who cannot get into training programs. In Fiscal Year 1985, approximately 10% of DOE's core grant terminees were identified as people with limited English speaking ability (PLESA).

In response to the Hispanic Commission recommendation, DOE contacted its contractors who serve primarily Hispanics to determine what job-related English classes are offered and whether they should be expanded. DOE found that the Basic Occupational Language Training (BOLT) program, a language instruction system designed to

teach specific language for individual jobs and occupations, is not being used. However, a small number of the contractors in skills training do utilize the nationally recognized system known as VESL (Vocational English as a Second Language). A number of the contractors in skills training providing services to PLESA participants utilize DOE's Basic Skills (English and Math) program. The Department is currently reviewing the Basic Skills curricula to determine whether it can be more closely suited to ready participants for Skills Training.

Recommendation 3. That City Works funds currently used for purchasing building materials be redirected to create additional training opportunities for young persons.

The City Works program is a work-experience, remedial education and job-placement program for disadvantaged youth (aged 16 to 24) who do not meet the entry criteria for DOE training programs.

In response to the Commission's recommendation, DOE sought an opinion from the Law Department and it was agreed that capital funds could be used to cover the cost of building materials for the City Works Housing Component. The City's budget now includes two million dollars in capital funds from the Department of Housing Preservation and Development to cover brick and mortar costs for City Works. This has allowed the creation of approximately 120 additional training slots for City Works participants.

Recommendation 4. That the Mayor urge the Governor and State and City legislators to allow trainees to be paid trainee-level wages on State construction sites.

On June 23, 1987, the New York State Court of Appeals upheld a determination by the State Commissioner of Labor that Labor Law 220 recognizes only two classifications of workers -- apprentices and journeylevel employees -- thus mandating that trainees on public works projects be paid journeylevel wages. The decision, issued despite the opposition of New York City and sixteen (16) broad-based civil rights and community groups, threatens the future operation of the training program.

The Mayor sought to overcome the effects of the Court of Appeals decision through the introduction of

legislation at the State level to amend Labor Law Section 220 to add the category of "trainee." The bill would have insured that the City could continue to enforce the requirements of Executive Order No. 50 requiring the use of trainees as a means of addressing the long-standing problem of employment discrimination in the construction industry. This proposed amendment was not reported out of committee, however, and the Governor, although in agreement with its intent, did not support the amendment in the form in which it was offered.

The City is now pursuing an administrative solution. To accomplish this solution, the Bureau of Labor Services and the Mayor's Office have asked trade unions and contractor associations to apply to the State Department of Labor to register the training program as "economically disadvantaged apprenticeship programs" in each trade.

In the interim, to avert massive trainee layoffs, contractors have been asked to move trainees to private sites, including tax abatement sites covered by the Industrial and Commercial Incentive Program regulations. (See Recommendation 1 above.) The Bureau will recognize the use of trainees on private sites as evidence of contractor "good faith efforts" to comply with the training requirements of E.O. 50.

The Bureau has also requested information from the State Department of Labor concerning the current minority and female registration in apprenticeship programs, as well as the current requirements for entry into such programs, to enable an analysis of the apprenticeship programs to be performed.

Recommendation 5. That the Bureau of Labor Services establish a Trainee Support Unit to coordinate trainee programs and provide support to trainees on construction sites under E.O. 50.

The Bureau requested five additional staff to compose a Trainee Tracking and Counseling Unit. The FY 1988 budget for the Bureau provides for one staff person to plan for the development of such a unit. Once established, the unit will provide a support system for trainees that will include counseling, construction orientation, and a tracking system. The tracking component of the unit will be able to provide demographic profiles of the trainees participating in E.O. 50 training programs. The unit will also aggressively recruit applicants for the proposed

"economically disadvantaged apprenticeship program."
(See Recommendation 4 above.)

CHAPTER 7: EMPLOYMENT IN NEW YORK CITY GOVERNMENT

PERSPECTIVES ON CITY EMPLOYMENT

Government is the largest single employer in New York City. As the Commission on the Year 2000 concluded, "while private sector jobs will have to be the principal source of employment in the long run, the government can and must play an active role as employer, trainer, and placement counselor . . . ."[1]

A central focus of the Mayor's Commission on Hispanic Concerns was the level of Hispanic participation in the government workforce. The Commission observed that under the Koch administration, the absolute number of Hispanics in the city workforce had doubled (from 5,618 to 11,768) and the percentage of representation had nearly doubled, from 5.02% of the workforce to 9.04%. The Commission nevertheless noted that, despite this rate of growth, "the record at most agencies still shows a serious underrepresentation of Hispanics at almost every level."[2]

Since the Commission issued its report, data for new employees in 1986 is now available that shows a significant increase in the level of Hispanic participation in the city workforce. In 1986 the number of Hispanic city employees increased to 12,832, or 10% of the city workforce. Hispanic officials and administrators increased by 18% over the year, from 514 in 1985 to 607 in 1986.[3] Hispanic professionals increased by 12%, from 1,255 in 1985 to 1,401 in 1986. The technician workforce increased by 29% over the same period of time, from 689 in 1985 to 869 in 1986. In some agencies, the increases in Hispanic employment have been particularly noteworthy: in the Police Department, for example, where the number of Hispanic police officers has risen from 801 in 1978 to 3,049 in 1987, fully 15.5% of the police officers hired in July 1987 and 31% of the police cadets hired in 1987 were Hispanic.[4]

The following sections of this chapter describe additional efforts the City will undertake to ensure that Hispanic New Yorkers are provided equal access to the employment opportunities found in the City workforce.

PROGRAM HIGHLIGHTS IN CITY EMPLOYMENT

As was noted, as the City's workforce has been brought back to pre-fiscal crisis employment levels, the number of Hispanics employed by the City has doubled (from 5,618 to 12,832). Hispanics now constitute 10% of the City workforce. The City, as detailed in the following status update, is undertaking a number of initiatives to identify job titles where there is significant underrepesentation of Hispanics in the workforce. These analyses will allow the City's Department of Personnel (DOP) to target recruitment and training efforts to encourage Hispanics to seek out city employment opportunities and to pursue careers in all levels of city government. As part of this effort, the Department of Personnel, for the first time, is collecting data to develop an accurate ethnic profile of the test-taking populations for the City's open-competitive examinations. This information is supplied on a voluntarily basis.

In addition to the initiatives directed at the test-taking population, the Department of Personnel administers a number of special recruitment, internship and training programs. The Department runs a managerial training program which, in 1987, enrolled 987 participants of whom 67 (6.8%) were Hispanic. This level of Hispanic participation represents an improvement over 1985 when 33 of the 837 participants were Hispanic, or 4.0%. In the DOP clerical training program in 1987, 11.4% were Hispanic conpared to 9.0% in 1985.

The "Top Forty" Program registered 38 participants this year of whom four were Hispanic. The current class of the Urban Fellows Program includes two Hispanics in the class of thirty; last year there were none. The Urban Corps Program, during the academic year, registered a class of 1521 of whom 408, or 26.8%, were Hispanic. The Urban Corps summer session registered 1169 students of whom 354, or 30.3%, were Hispanic. Both of these represent higher levels of Hispanic participation than the previous year when Hispanics comprised 21.3% of the academic year program and 19.2% of the summer program.

STATUS REPORT ON INITIATIVES IN CITY EMPLOYMENT

UTILIZATION ANALYSES

Recommendation 1. That City agencies conduct utilization analyses by job titles as part of their EEO reporting responsibilities. To conduct these analyses, each agency should calculate the available work force in the job titles used and determine the extent of Hispanic underrepresentation. These analyses should be instituted in the first quarter of 1987.

Recommendation 2. That, using these analyses, the City require agencies to develop specific remedial plans where such underutilization of Hispanics is statistically significant from the relevant availability figure.

Recommendation 3. That remedial plans be monitored on a quarterly basis to ascertain whether they have been carried out.

Recommendation 4. That if Hispanic representation does not increase, the agency be required to implement changes in its remedial plan.

Recommendation 5. That the responsibilities of the Government Employment Division of the City Commission on Human Rights be transferred to an office which is directly accountable to the Mayor. This office should have the resources to effectively assist agencies in their efforts to recruit Hispanics for discretionary hiring, to increase the number of Hispanics taking civil service examinations, to analyze the EEO efforts of City agencies on a year-to-year basis, and to recommend sanctions regarding those agencies which do not cooperate with minimal EEO practices.

Recommendation 6. That the new Mayoral EEO Office be given authority to approve EEO Officer appointments, that it take responsibility for training and evaluating those officers, and that it ensure that EEO Officers have adequate resources to effectively perform their functions.

In the first six recommendations under the Chapter entitled Employment in City Government, the Commission on Hispanic Concerns recommended that the City make several significant changes in the approach to recruitment of

personnel and the monitoring of the levels of minority participation in the City's workforce.

Many of these six recommendations concern the mechanics of the city's equal employment opportunity effort -- e.g., the use of utilization analysis to calculate underrepresentation in the workforce, the development of remedial plans based on this analysis, the monitoring of the implementation of those plans, and making modifications in those plans. Two of the recommendations are more structural in nature, regarding the establishment of a central Equal Employment Opportunity Office and the powers and responsibilities of that office.

In its response to these recommendations, the City expressed its agreement with the fundamental assertion underlying the Commission's position, namely "that in order for the City to effectively monitor equal access to employment programs, an EEO office should be established which centralizes all the EEO functions currently scattered among different agencies in the City. Part of the problem in developing appropriate EEO plans and monitoring compliance is the dual and sometimes triple reporting requirements, the different standards of review and the different goals of the several oversight agencies. Acordingly, the various multiple reporting requirements must be eliminated and standardized in one office. Plans must be developed and monitored consistently by one office."

The City also agreed that a central EEO office should be responsible for the functions of undertaking utilization analysis, developing and reviewing agency EEO plans and remedial plans, developing recruitment plans for city positions, training agency EEO officers, and providing statistical submissions to the various state and federal agencies.

At the time of the City Response, a fundamental structural question remained to be answered: once a central EEO capability is created, where should it be located. Since the release of the Response, the Citywide Equal Employment Opportunity Committee, chaired by the First Deputy Mayor, has been considering several options, including leaving the EEO office at the Human Rights Commission, where it currently resides, and providing increased staff support; creating, as recommended by the Commission, a new office directly reporting to the Mayor; creating an EEO office in the Department of Personnel in

conjunction with a new recruitment capability; and creating, on a temporary basis, an EEO office in Operations pending the ultimate transfer to a permanent organizational arrangement. Each option had arguments favoring and opposing its adoption.

After much deliberation, the Citywide EEO Committee has decided to move most of the EEO functions to Department of Personnel and leave the adjudication functions at the Commission on Human Rights. Once established at Personnel, the new EEO office, to be headed by a Deputy Personnel Director, will be responsible for undertaking the EEO functions enumerated above. In addition -- and this provided a strong argument for creating a central EEO office at Personnel -- the Department of Personnel will be responsible for coordinating the statistical and oversight functions traditionally associated with an EEO office with an aggressive and proactive outreach effort to bring minority workers into the city workforce. This is particularly an appropriate function for the Department of Personnel and not city agencies, since most of the workforce is hired as a result of competitive civil service examinations.

Finally, it should be noted that the creation of the central EEO office does not alter the City's policy regarding affirmative action. The City's commitment is to undertake aggressive affirmative action -- to examine underrepresented titles to ensure that all reasonable steps are taken to bring qualified applicants into the applicant pool for unbiased consideration based solely on the merits. Any modifications in an agency's plan would be directed solely at these types of outreach efforts and will not consist of the establishment of quotas or goals, timetables, and sanctions based on race, religion, gender or ethnicity.

GENERAL RECRUITMENT

Recommendation 7. That a working group be established to identify 25 titles to be the focus of a special Hispanic recruitment campaign. The working group should report to the Mayor in six months on specific steps to be taken to overcome the underrepresentation in these titles.

While the identification of titles to be the focus of targeted Hispanic recruitment must await the

utilization analyses to be conducted by the centralized EEO Office, the Department of Personnel (DOP) has begun to analyze the racial and ethnic breakdown of the test-taking populations for the open-competitive examinations given during the last few years, starting with those with the largest candidate populations. This data was collected in the past but was never analyzed or even compiled in any way. It must be remembered that the data was collected on a voluntary, self-identification basis and, therefore, is not complete nor necessarily accurate. Once compiled, however, it will give us some basis for comparison with the qualified labor pool in order to determine where best to focus the city's recruitment efforts.

Recommendation 8. That the City enhance recruitment of Hispanics for competitive positions through more focused outreach, effective advertising and assistance in examination.

DOP's Community Outreach Unit has continued to improve and increase its general recruitment efforts to encourage candidates to take civil service examinations. Of significance was their participation in the Hispanic World's Fair for a three day period, Friday, July 10 through Sunday, July 12. The Fair is a yearly outreach event specifically geared to the Hispanic community in the metropolitan area. It is designed as a festival-like event featuring top entertainers from a variety of Spanish-speaking countries. The Unit distributed over five thousand "Exams for Jobs" booklets, hundreds of special information folders, caseworker applications, housing applications, etc.. The staff answered questions on virtually a non-stop basis during the event. It is estimated that about 300,000 people attended the Fair so it was a tremendous vehicle for increasing the visibility of City employment opportunities in the Hispanic community.

More targeted recruitment for specific exams must await the establishment of the EEO Office and the results of the utilization analyses.

Recommendation 9. That City outreach efforts be evaluated by questioning applicants and those hired to determine the most effective strategies for recruitment Hispanic candidates.

The Department of Personnel has developed a form to be given to test takers at the time of the administration

of open-competitive exams to determine which recruitment methods are most effective. It is being polished and should be ready for distribution this fall.

Recommendation 10. That the Department of Personnel, the Mayor's Office, agency EEO officers, the CCHR and other relevant agencies combine efforts to devise strategies for additional recruitment efforts to attract Hispanic candidates.

In September, the Director of Personnel will send a memo to agency EEO officers, personnel officers, City Commission on Human Rights, etc. asking for suggestions for recruitment. Aurelia Alvarez, Director of Community Outreach, will follow-up on any suggestions that are submitted.

CIVIL SERVICE EXAMS

Recommendation 11. That the Department of Personnel advertise the schedule of City civil service exams in the major newspapers including Spanish-language and other newspapers.

Currently the Chief-Leader publishes the city's yearly exam schedule plus a weekly update of all exams opening for filing. The Department of Personnel has contacted Noticias del Mundo which will begin publishing in August the monthly schedule of those open-competive exams opening for filing, at no cost. The New York Voice has agreed to do the same. Both the New York Post and the Daily News are "considering" publishing the monthly schedule. DOP will issue a press release each month, giving the monthly schedule and will keep asking the Post and News to publish it.

Recommendation 12. That the City sponsor, either directly or indirectly, through community-based organizations, preparation courses for Hispanic candidates wishing to take City exams that address both the substance of the particular exam and the candidates' fear of failure.

Implementation of this recommendation must also await the results of utilization analyses to be performed by the centralized EEO Office.

However, together with the Department of Employment (DOE), the Department of Personnel has been working to identify titles in which Hispanics are underrepresented

and for which DOE could establish a pilot program of preparatory training courses for candidates for the exams. After reviewing racial and ethnic breakdown of titles, candidate flow statistics, minimum qualifications and the exam schedule for this year, DOP has identified seven titles that may be appropriate for inclusion in this pilot program. DOP also made recommendations for recruitment and preparatory course content. DOE and DOP will work together on implementation.

DISCRETIONARY HIRES

Recommendation 13. That each Mayoral agency notify the Mayor's Talent Bank when filling a vacant discretionary position. If the Bank is notified only after the agency has a candidate, the agency should not be permitted to proceed with the hiring absent an explanation.

All vacancies are currently required to be posted with the Department of Personnel and the Mayor's Talent Bank. Most discretionary hires are already pre-audit and therefore this recommendation has been and is currently in place.

Recommendation 14. That agencies be provided with a list of mandatory recruitment sources developed by the City-wide EEO Office in conjunction with the Mayor's Office of Hispanic Affairs and the Bureau of Labor Services, that must be contacted regarding vacancies. The Mayor's EEO Office should conduct a review of the agency's recruitment efforts prior to approval of the hiring by the Mayor's Office. By providing the list in advance, EEO recruitment efforts should not seriously delay the hiring schedule.

The central EEO Office, drawing upon the work already done by the Bureau of Labor Services, will develop a list of recruitment sources to be used by agencies when filling discretionary vacancies. However, to give the EEO Office pre-audit authority will seriously delay hiring. The EEO Office, once established, will conduct a post-audit of recruitment efforts and, if a problem is identified, the particular agency can be placed on pre-audit status.

Recommendation 15. That the City place regular advertisements in the New York Times and other newspapers with classified employment sections directed at senior professional vacancies. By using regular format and

location the City's advertisements will receive more attention from a wider variety of people and help the City's efforts to hire Hispanic professionals.

Placing regular advertisements directed at senior professional vacancies in the The New York Times is part of a project currently underway in the Office of Operations. The project is seeking to have ads from all City agencies placed together under a New York City banner, to improve the copy in the ads and to have ads placed in a variety of New York City papers in order to reach a wider audience. The Office of Operations plans to engage an advertising firm which will be responsible for this project as part of a broader initiative.

Recommendation 16. That the City regularly send minority and non-minority senior officials to graduate schools in public administration education, and business and certain undergraduate institutions. The visits should include a presentation of the opportunities for creative and interesting work for professionals in the City and be followed by interviews on campus and in the City.

City officials currently go to graduate and undergraduate schools to inform the students about opportunities in New York City Government. Once established, the central EEO office will coordinate this function and evaluate the possibility of including additional schools.

MANAGERS

Recommendation 17. That the Mayor direct the Department of Personnel to devise a management internship program leading to the interns becoming managers in City government. Recruitment for the program should be targeted at Hispanics in graduate programs and in the private sector.

The City is still in the process of developing a management internship program which is consistent with Civil Service Law. The final format of the program now awaits completion of the restructuring of the Staff Analyst title series. The internship proposal should be completed this fall and DOP is discussing it with the State Civil Service Commission, which must ultimately approve such a program.

Recommendation 18. That the First Deputy Mayor for Operations report to the Mayor within 90 days on changes

in the ways in which managers are hired through the civil service process which would facilitate the employment of Hispanic managers. The Commission recommends that the City provide more open competitive exams and redesignation of feeder titles. Should any of these actions necessitate changes in local of state law, the First Deputy Mayor should recommend necessary amendments to existing civil service law or the State Constitution.

The Department of Personnel (DOP) has been reviewing the existing system for the appointment of managers. DOP has submitted to the State a number of proposals for reclassification of a variety of managerial positions into the non-competitive or exempt class. Most of these have been of single positions within a title. The Department of Personnel has also been reviewing with the agencies their position structure in order to identify other positions which are unique which should also be reclassified because it is not practicable to given an exam for a single position. Additionally, Department of Personnel (DOP) has tentatively identified a few managerial titles or positions within titles which should be open-competitive and not promotional. Personnel is working with the agencies to identify and establish appropriate titles.

CHAPTER 8: HEALTH AND MENTAL HEALTH

PERSPECTIVES ON HEALTH AND MENTAL HEALTH

New York City makes an enormous investment in the health of its citizens. According to the Commission on the Year 2000, the City spends "$4 billion in government funds on health care for its residents -- far more than is spent by any city in the world." In spite of this investment, according to the Commission's report, "many New Yorkers, particularly the poor, suffer from serious preventable health problems, and many neighborhoods still have unacceptable high rates of infant and neonate mortality and morbidity, hypertension, mental illness, alcohol and drug abuse, nutritional defects, and sexually-related diseases." [1]

Many Hispanics depend upon the City's municipal health system for care. Over the year from October 1984 to September 1985, over one third (36%) of the inpatient discharges from the Health and Hospitals Corporation were Hispanics. [2] The health care needs of the Hispanic community are, in some cases, different than those of the rest of the City. Child care provides a striking example. While overall a teenage mother gave birth in ten percent of all live births in New York City in 1986, 15.2% of Hispanic children born that year were born to teenage mothers and the figure reached 21.3% among Puerto Rican births. [3] Two of every five registrants in the Child Care Program administered by the Department of Health are of Hispanic background. [4] Accidents continue to be the single largest cause of death for Puerto Rican children under age 15. In 1985, of the 105 children who fell out of windows, 56% were Hispanics. [5]

The AIDS crisis provides another illustration of the special needs of the Hispanic community. In New York City, 24% of AIDS cases are found among Hispanics, as compared to their 20% representation in the general population according to the 1980 Census. AIDS is the leading cause of death for Hispanic men and women between the ages of 25 and 44. [6]

Tuberculosis is another example of a health issue that has a differential impact upon the Hispanic community. While tuberculosis rates have remained relatively stable in

New York City since 1979, this has not been the case among Hispanic New Yorkers. The Hispanic rate has increased from 18 per 100,000 in 1979 to 23 per 100,000 in 1984. Rates are higher in East Harlem, Harlem, the South Bronx, and the Lower East Side, all neighborhoods with significant Hispanic populations. [7]

An overriding concern of the Hispanic community -- and one that is being addressed by the municipal health care providers -- is the concern for adequate service delivery to patients of limited English speaking abilities. Particularly in the areas of emergency care and mental health, where an inaccurate interpretation can result in inappropriate diagnosis, the differential needs of the Hispanic community require a different governmental response. (See Chapter on City Language Services for further discussion of services for Limited English Speaking Ability patients.)

The following narrative highlights programmatic initiatives being undertaken by the City's lead agencies in the delivery of health and mental health services to bring improved health services to the Hispanic community.

PROGRAM HIGHLIGHTS ON HEALTH AND MENTAL HEALTH

The City's mandate to provide health care is carried out principally by three agencies, the Health and Hospitals Corporation, the Department of Health and the Department of Mental Health, Mental Retardation and Alcoholism Services.

Health and Hospitals Corporation

The New York City Health and Hospitals Corporation (HHC) is the largest municipal health care system in the country. To carry out its mission to provide quality health care to all those in need, regardless of ability to pay, HHC operates eleven acute care hospitals, five long term facilities, dozens of community-based clinics and the Emergency Medical Services (EMS) system. HHC's general and long term care beds provide about 23% of the inpatient services in New York City and the more than 5 million ambulatory visits represent almost 50% of all outpatient activity.

HHC serves a large proportion of poor and minority residents and serves as "family doctor" to hundreds of thousands of New Yorkers. It is an especially important service provider for the Hispanic community. Hispanics represent about 36% of its inpatient population and an even greater proportion of the outpatient population.

Lincoln Hospital has the largest percentage of inpatients who are Hispanic. While Lincoln's catchment area is 45.9% Hispanic, some 67% of its inpatient discharges are Hispanic patients. About half of the discharges at Metropolitan, North Bronx, and Woodhull are Hispanic.

Recognizing the importance of having staff reflect, to the extent possible, the demographics of the patient population, HHC has established an aggressive EEO program. In fiscal year 1987, Hispanics comprised 16.5% of the total workforce. This data is updated and monitored routinely. HHC also works with affiliate institutions to improve minority representation among the medical staff. While the affiliates clearly need to improve in this area, it should be noted that the pool of Hispanic medical students from which to draw is limited. For example, the percentage of Hispanics enrolled in New York State medical schools is less than 3%.

HHC recently began to track separately the number of Hispanic residents and fellows, as well as the number of non-Hispanics fluent in Spanish working in HHC's departments of psychiatry. As of July 1987, 16% of psychiatry residents and fellows were Hispanic. The increase over the last few years is evidenced by the higher proportion of Hispanic Post Graduate Year 1 residents (25%) compared to Post Graduate Year 5 residents (7%). In addition to an increase in the number of Hispanic psychiatry residents, 14% of non-Hispanics are fluent in Spanish.

While it has been pointed out that Hispanics are served by all HHC facilities, there are several programs that have been designed specifically to serve the Hispanic community. Two prominent examples are the Bilingual/Bicultural Inpatient Psychiatric Unit at Lincoln Hospital and the Roberto Clemente Family Guidance Center in the Lower East Side.

The Bilingual/Bicultural Inpatient Psychiatric Unit is a fifteen bed inpatient unit housed at Lincoln Medical and Mental Health Center specifically dedicated to treating Hispanic patients. The unit is specially staffed with bilingual personnel who are sensitive to the culture of Hispanic patients. Special training is also being conducted for the staff on treatment modalities and interventions for this population. HHC has established an Advisory Committee for the unit. The Advisory Committee, which held its first meeting on July 17, 1987, will meet monthly. It is comprised of the following Hispanic and minority administrators and mental health professionals:

Angel L. Quinones, Executive Director, Lincoln Hospital
Billy E. Jones, M.D., Director of Psychiatry
Ivan Cortes, Associate Executive Director, Psychiatry
Mario Rendon, M.D., President, Association of Hispanic Mental Health Professionals
Carmen Cotto, M.D., Director, Inpatient/Outpatient Bilingual/Bicultural Services
Antonio Gines, M.D., Unit Chief,Inpatient Bilingual/Bicultural Service
Orlando Rodriguez, Ph.D., Hispanic Research Mental Health
Hugo Morales, M.D., Bronx Mental Health Center
Rosa Maria Gil, D.S.W., Columbia University School of Social Work
Phyllis Harrison-Ross, M.D., Director Metropolitan Hospital, Community Mental Health Center.

Another major program serving a predominantly Hispanic population was established at Gouverneur Hospital with the award of a three-year grant as a demonstration project by the New York State Office of Mental Health. The Roberto Clemente Family Guidance Center initially treated patients in February 1983 at Gouverneur Hospital's main building. The program was subsequently relocated to a storefront on East 13th Street in a Hispanic neighborhood in Manhattan's Lower East Side. The Clinical Director, a Puerto Rican psychologist, recruited an exclusively Hispanic professional staff. The clinic provides crisis intervention, home visits, community networking and advocacy, and training in specialized family therapy techniques. In addition to family therapy, psycho-educational groups and relaxation groups are available for patients with somatic complaints. Currently, "La Clinica" provides an average of 540 visits per month, or about 6500 visits per year. HHC is reviewing the need for and the potential for expansion of this program.

Department of Health

The Department of Health is mandated to promote, maintain, and improve the health and quality of life of the City's residents. In carrying out this function, DOH monitors, treats and controls communicable diseases; detects and controls environmental health hazards; provides preventive health services to preschool and school age children; provides dental services to school age children; and identifies and treats tuberculosis and sexually transmitted diseases.

The Department of Health provides many essential services to Hispanics. Hispanic prenatal patients represent 60% of the overall number of patients. Approximately 45% of those persons using Family Planning services are Hispanic. Almost half of the families who receive services from the Women Infant Children program (WIC) are Hispanic. The percentage of Hispanic children in the Child Health program is approximately 40%.

One health issue of special concern and with significant impact in the Hispanic community is the AIDS issue. As was noted in the Perspective introducing this Chapter, the

incidence of AIDS among Hispanics is very high. Although Hispanics do not fall into any single risk group, a primary risk factor for HIV infection, intravenous drug use, has been correlated with Hispanics who become infected with the virus.

The New York City Department of Health has launched several programs which are intended to inform people about the spread of AIDS and make them aware of services being offered by the City. (See recommendations 19 & 20.) DOH has developed a new project to assist community organizations in assuming responsibility for AIDS services within the context of their existing service delivery programs. It is hoped that such a program will enable DOH to reach a broader spectrum of people. With funding from the federal government, DOH plans to train and hire 22 community workers to conduct informational sessions on AIDS. This fall, the Department of Health will solicit proposals from organizations that would like to have DOH staff working in their programs.

Department of Mental Health, Mental Retardation and Alcoholics Services

The New York City Department of Mental Health, Mental Retardation, and Alcoholism Services (DMHMR&AS) is responsible under the City Charter and the State Mental Hygiene Law for the planning, contracting, and evaluation of all local mental hygiene services.

The Department currently administers mental hygiene programs through 285 contracts with over 150 voluntary agencies and hospitals, 14 Health and Hospital Corporation facilities, the correctional system, Human Resources Administration emergency shelters, and the Family and Criminal Courts.

The network of services directly funded and monitored through the Department provides care to more than 425,000 disabled persons each year. Target populations include emotionally disturbed, the acutely mentally ill, alcoholics, court and prison referred persons in need of psychiatric services, the elderly mentally ill and the mentally disabled homeless.

According to a 1985 comprehensive survey of the mental health system conducted by the New York State Office of Mental Health (SOMH), Hispanics constituted 24.3% of those persons served by programs funded by SOMH, (the majority of which are administered by DMHMR&AS).

The Department of Mental Health, Mental Retardation, and Alcoholism Services, through its contracts, provides numerous services relating to AIDS. As discussed above, these programs have an important impact on the Hispanic community because of the prevalence of AIDS among Hispanics.

In the fall of 1986, the New York City AIDS Consortium received a $10 million grant from the U.S. Public Health Service. Under the terms of the grant, the Department will receive approximately $300,000 annually for three years. The funds will enable the establishment of a day treatment program for persons with AIDS dementia and three teams of approximately two to three people each to serve as special AIDS mental health units in community outpatient clinics. The outpatient clinics are located within communities that have large Hispanic populations: Montefiore Medical Center in the Bronx, Upper Manhattan Mental Health Clinic, and Interfaith Medical Center in Brooklyn. Utilizing City and State monies, additional AIDS-related services will be targeted to those communities where there is a high prevalence of AIDS. These communities also have a significant number of Hispanics: the Lower East Side, the South Bronx, and Rockaway Queens. In order to address the issue of AIDS in the Hispanic community, the Department has been actively working with the Hispanic AIDS Task Force and the Minority AIDS Task Force.

The following new DMHMR&AS initiatives have had significant beneficial impact on the Hispanic community:

- A Community Support System (CSS) crisis intervention/outreach program was implemented at Woodhull Medical Mental Health Center.

- The District Mental Health Services Project has been established in the Upper Manhattan section of New York City, which includes Community Districts 9, 10 and 12, encompassing a large Hispanic community. The case management program will assist patients to gain access to needed services; help with a variety

of health problems; link patients with social services; and monitor patients' progress.

- The Department has implemented new mobile crisis management services in the five boroughs which include Spanish speaking staff.

STATUS REPORT ON INITIATIVES IN HEALTH AND MENTAL HEALTH

Recommendations 1-3. That HHC formally designate as a top priority the recruitment and hiring of qualified Hispanics for high level policy making positions. That HHC establish a formal selection panel of Hispanic health professionals to organize systematic recruitment of qualified Hispanic hospital administrators. The selection panel will be responsible for conducting searches for top level policy and administrative positions. HHC would provide the selection panel with resources to conduct national searches, as well as searches in Puerto Rico and Spanish-speaking countries. The selection panel would then submit resumes to HHC for consideration. HHC should report to the panel on the decisions made on its recommended candidates. That HHC undertake an active and ongoing effort to recruit qualified Hispanic administrators by hiring professional recruitment agencies and formalizing ties with Hispanic professional organizations.

HHC is committed to placing Hispanics in high level policy and administrator positions in order to better respond to the needs of Hispanics at its facilities. In reaching out to identify appropriate candidates for its positions, HHC has been able hire several Hispanic Executive Directors and Corporate Vice Presidents. HHC will continue these efforts by utilizing Executive Search Firms and professional organizations to attract Hispanics into high level positions.

Recommendations 4-6. That HHC vigorously monitor the recruitment and retention of Hispanic medical students at teaching hospitals it contracts with. That HHC scrutinize and approve the affiliates' equal employment opportunity efforts for medical students before it signs all affiliation contracts to require that physician recruitment and placement reflect the language needs and cultural background of the clients in each hospital's catchment area. That HHC scrutinize and approve the affiliates' equal employment

opportunity efforts for medical residents before it signs all affiliation contracts.

HHC contracts with affiliated medical schools, voluntary hospitals and professional corporations for the provision of residents, attending physicians and other professional staff, but not for medical students. Retention and recruitment is vigorously monitored by HHC and on an annual basis affiliates submit staffing profiles including ethnic data. Affiliates are also required to submit EEO reports and affirmative action plans. In the past, HHC has limited the term of contract renewals and assisted affiliates in their development of targeted recruitment plans to attract minority staff. HHC will continue to do so whenever affiliate performance in minority recruitment and retention is less than optimal.

Recommendation 7. That HHC and the City allocate funds to provide training for culturally sensitive treatment techniques and Spanish-language skills to all physicians working in hospitals where 10 percent or more of the patients are Hispanic.

The Commission on Hispanic Concerns noted the large percentage of Hispanics served by HHC and underscored the importance of those services being provided in a way that is sensitive to the particular needs of the Hispanic community. To address that concern, HHC issued an RFP in June 1987 for a cultural sensitivity training program to be piloted at four facilities. A consultant has been selected and it is expected that the program will be implemented during September. The target population for this program will be the managerial and supervisory personnel who have responsibility for employees involved in direct patient care. This training program will also include a train-the-trainer component that will train approximately 50-60 trainers, so the program can be replicated within the hospitals with additional staff.

HHC will work with these staff members to help them recognize how cultural background affects a patients response to health care services. With an awareness of and sensitivity to cultural norms and values, health care providers should face less cultural conflict with patients. The training component includes the sociocultural dimension in health care, Hispanic culture, health beliefs and

practices of Hispanics and the organizational dynamics involved in implementing a cultural sensitivity program.

Recommendation 8. That the Health and Hospitals Corporation appoint more bilingual mental health professionals.

As stated in the Mayor's Response, HHC is committed to placing a high priority on recruitment of Hispanic residents within the psychiatric departments of HHC affiliates. To expand the pool of Hispanic residents HHC has created, as recommended by the Commission, a pre-residency program for psychiatry at three hospitals, Harlem, Lincoln and Elmhurst. (This program is described at greater length in answer to recommendation 12-13).

Recommendation 9. That HHC, in conjunction with the City, formally designate the Hispanic population as a high priority for receiving specialized care with the mental health system.

HHC is developing an alternative means of working with Spanish-speaking mental health patients. The successful Mental Health Interpreters program, piloted at Bellevue, has been expanded to other HHC facilities. The program trains bilingual staff in the skills of interpreting and in psychiatric interviewing and diagnostic principles.

To date, the Mental Health Interpreters program has completed training for 47 Spanish-English interpreters at Lincoln, Harlem, and North Central Bronx hospitals as well as at Morrisania NFCC. Training at Elmhurst, Gouverneur, Kings County, Metropolitan and Woodhull Hospitals is scheduled for fiscal year 1988. As a result of the training, the interpreters are now able to render accurate, effective and time-efficient simultaneous interpretation in Emergency Rooms and other psychiatric settings of these facilities. A standardized training manual and video presentations are also being developed. HHC is also conducting refresher workshops for those who have been trained.

The Fiscal Year 87 report on the Interpreter's Project Pilot Program and Study documented that training ad hoc interpreters in mental hygiene programs resulted in: enhanced accuracy of the content of the interpretation

process; minimization of the interference in the didactic process of clinician and patient; and, enhanced ability of the clinicians to immediately comprehend the non-English speaking patients' thought content, process and effect.

Recommendation 10-11. That HHC establish a formal selection panel of Hispanic mental health professionals to organize a systematic recruitment program for qualified bilingual and bicultural professionals in this field. HHC should provide the selection panel with resources to conduct thorough national searches as well as searches in Puerto Rico and Spanish-speaking countries. HHC should report to the panel on the decisions made on its recommended candidates. That all municipal hospitals where Hispanic patients are 10 percent or more of the case load, be required to employ at least one Spanish-speaking psychiatrist and psychologist in each inpatient and outpatient mental health unit.

With the exception of Harlem and Queens Hospitals, the remaining nine HHC acute care facilities were found to have at least 10% Hispanic patients in their caseload. Last year, a survey was conducted of each of these hospitals to ascertain their level of psychiatrist staffing; all of the nine qualifying hospitals meet this minimum standard with the exception of Coney Island and North Central Bronx which do not have a Spanish-speaking psychiatrist on their outpatient services. In fact, at the present time, Woodhull, Bronx Municipal, Lincoln, and Kings County Hospitals far exceed this minimum standard. Levels for psychologists at Kings County, Bellevue, Woodhull, and North Central Bronx Hospitals fully satisfy the Commission's recommendations. The remaining five facilities fall short of compliance due to recruitment and retention problems. Since the limited number of Spanish-speaking psychologists are very much in demand, many are opting for higher paying jobs in the voluntary sector.

Recommendation 12-13. That HHC establish a pre-residency training program at its institutions for qualifying Spanish-speaking foreign medical school graduates. This program could start as a pilot project in psychiatry for 15 qualified candidates selected through a competitive process. Those selected would participate in a year-long training program and receive a stipend. The goal

of the pre-residency program would be to offer these candidates the clinical experience which would make them more marketable in the nationwide matching program. In addition, HHC must make a commitment to offer the top graduates of this program a residency at its hospitals. In return for this opportunity the residents will commit themselves to work at HHC hospitals with a large concentration of Hispanics for a two-year period. That HHC establish an independent committee composed of State and City representatives and medical professionals to monitor the pre-residency program and to assist in the program's implementation.

HHC has developed a Pre-residency Training Program in psychiatry for minority medical school graduates who are determined to be in need of further training and development as a prerequisite for selection to a psychiatric residency program. The program is designed to focus on individualized remediation and to assist participants in obtaining placement in residency training slots at HHC facilities. The pre-residents work under the HHC title "Research Assistant" and receive an $8,000 annual stipend.

The Pre-residency Training Program is operating currently at three facilities. Harlem Hospital Center began its program in April with six pre-residents, half of whom are Hispanic. The program at Harlem is expected to last for one year. Those who are placed in a residency slot prior to June of 1988, or choose to leave the program, will be replaced with other candidates. One Hispanic participant was placed in a residency program already and that slot was filled with another Hispanic.

In addition to the training and academic aspects of the program, pre-residents at Harlem Hospital conduct research, interpret for non-English speaking patients, and conduct clinical interviews and evaluations under the supervision of attending psychiatrists and chief residents.

The pre-residents are also involved with two projects: a demonstration case management project (being evaluated under a grant from the Robert Wood Foundation) and a psycho-educational program designed to provide support services to families of psychiatrically disabled patients at Harlem.

The City Hospital Center at Elmhurst started its pre-residency program on July 1, 1987. Six pre-residents, including three Hispanics, work under the title of Research Associate. Pre-residents collect clinical data by interviewing patients, perform diagnostic screenings, organize clinical data and conduct library research.

Elmhurst is in the process of applying to the Residency Review Committee in Psychiatry to establish a first year psychiatry residency level at Elmhurst effective July 1988. The establishment of a residency program will facilitate the primary goal of the pre-residency program which is the placement of participants in formal residency training programs.

HHC has received a funding commitment from OMB to operate a pre-residency program at Lincoln Medical and Mental Health Center. As of July 27, 1987, five pre-residents (including four Hispanics) were hired in the Department of Psychiatry. This program is modeled on the other two pre-residency programs; pre-residents participate in clinical training and activities under the supervision of attending psychiatrists.

Recommendation 14-15. That HHC establish a pilot physicians assistant training program at Lincoln and Woodhull Hospital with preference given to Spanish-speaking foreign medical school graduates. That HHC establish an independent committee composed of State and City representatives and medical professionals to monitor the physician assistant training program and to assist in the program's implementation.

The Commission and HHC agree that there is a pool of talented individuals who have graduated from foreign medical schools who, although they have been unable to pass various required qualifications to become certified physicians, could be a valuable resource for the health care system. For the reasons listed below, HHC disagrees with the particulars of the Commission's recommendation and does not support the idea of establishing a physician assistant training program for these individuals. Establishing a physician assistant (PA) training program would be impractical for the following reasons: (1) in order to practice as a PA in the State of New York, one must graduate from an accredited Physician Assistant Program; (2) operating a PA program would be too costly; (3) PA programs

train people for a role that differs markedly from being a doctor and (4) the PA profession should not be considered a residual profession for an individual who can not qualify for residency training.

HHC does believe, however, that these individuals may be particularly qualified to serve in non-physician health-provider positions. Since the release of the City's response to the Commission Report, HHC has been working with an organization of Foreign Medical Graduates to match interested FMGs with non-physician health provider jobs in HHC facilities. In April 1987, HHC forwarded a skills assessment package to members of the Asociacion de Medicos Hispanos de New York. This package included a skills assessment questionnaire and a booklet containing job descriptions, qualifications, and the major duties of each position.

Titles included in the skills assessment questionnaire are: Senior and Assistant Addiction Counselor, Biomedical Equipment Technician (Levels I,II and III), Community Liaison Worker, Senior Electrocardiograph Technician, Electroencephalograph Technician, Hospital Care Investigator, Laboratory Associate, Medical Records Specialist, Mental Health Assistant, Nuclear Medicine Technician, Public Health Educator, Rehabilitation Technician, Coordinating Manager (Health Support Specialities), Health Care Program Planner/Analyst Patient Representative and Case Worker.

HHC staff and the Asociacion met in June and reviewed the completed skills assessment questionnaires that had been collected. HHC is now focusing on matching each candidate with the appropriate position. In addition, HHC is evaluating the possibility of providing formal training for specific job categories such as Emergency Medical Service Specialist and Respiratory Therapy Technician. As a follow-up to the June meeting, the Asociacion was given a list of members who would qualify for the Corporate Respiratory Therapy program presently at the Cumberland NFCC.

HHC also has contacted the Personnel Directors at each of the HHC facilities requesting their cooperation in providing an update of vacancies in positions listed on the

skills assessment questionnaire. HHC is committed to matching FMGs with appropriate vacant positions and is continuing to work with interested FMG's to make appropriate matches in HHC training programs.

Recommendation 16. That HHC research and adopt the Los Angeles program which uses bicultural/bilingual paraprofessionals to bring the neediest segment of the Hispanic population into the mental health clinics and to maintain their motivation during treatment.

As suggested by the Commission, HHC reviewed the recommended bicultural/bilingual program in Los Angeles. The LA County Department of Mental Health uses a case management and outreach approach to providing services to chronically mentally ill Hispanic patients. Because these patients often do not seek mental health services at traditional hospital and community-based settings, the Los Angeles system has created an innovative and aggressive program whereby case managers are assigned to particular clients and are responsible for monitoring and providing ongoing support to them in their communities. Among the services provided to patients by these case managers are advocacy, medication monitoring, family therapy, and crisis intervention. Los Angeles mental health staff believe that these services have substantially reduced their patients' need for inpatient hospitalization.

HHC has experienced similar success using the case managed services approach. In fact, this modality has been implemented throughout the years at several select facilities; the Roberto Clemente Clinic performs a substantial amount of case management and outreach services, as does Harlem Hospital's outpatient psychiatric clinics. HHC is currently working to expand the use of the model systemwide.

Recommendation 17. That HHC and the Department of Mental Health fund the creation of a Hispanic Research and Training Center at one of its affiliate hospitals. The purpose of the Center would be to focus on:

- Evaluation and research of the effectiveness of alternative therapeutic modalities within the Hispanic population. Sponsor research that encourages the development of alternative diagnostic

models and therapeutic techniques as an essential component of a vigorous effort to treat the Hispanic population.

- Training HHC personnel on the most effective approaches to treating Hispanic populations including techniques oriented towards coping skills and problem solving. Training is particularly important for non-Hispanic personnel.

As a result of a proposal jointly prepared by HHC and its affiliate, NYU Medical Center, the Roberto Clemente Clinic now operates a Hispanic Family Therapy Training Program. This initiative, funded by the State Office of Mental Health, has permitted the Clemente Clinic to develop a training protocol (including manuals, seminars, and case conferences) in which a select group of trainees are taught the techniques of providing culturally-relevant services to Hispanics. During the one-year training program, trainees provide much-needed services to patients at Clemente as well as at Bellevue. A portion of this grant also allowed Bellevue to hire two new interns who train at Clemente and provide services at Bellevue. After graduating from the program, these interns, as well as the other trainees, will hopefully secure full-time positions at HHC and other community agencies requiring their specialty services.

In the past year, HHC has also launched some interesting research projects in the area of Hispanic mental health. At Clemente, HHC has initiated a Psychoeducational Techniques protocol which investigates the efficacy of providing educational services to families of schizophrenic patients. This approach has shown promise with the patients at Bellevue, and it is expected that it will be equally successful with Hispanic families at Clemente. Another exciting research endeavor at Bellevue involves the placement of bicultural/bilingual staff in the Psychiatric Emergency Room to assist in the assessment and treatment of Hispanic patients.

Recommendation 18. That the City introduce its successful programs to other HHC facilities. The Roberto Clemente Family Guidance Center is a highly successful demonstration project operated by Gouverneur Hospital and funded by the Department of Mental Health. As a result of

its discussion with the Commission, HHC has reported that it hopes to establish a similar program in the Bronx.

As stated in the Mayor's Response, Lincoln Hospital has developed a proposal for a program that would create an outpatient unit for Hispanic patients. This program, called the Bilingual/Bicultural Outpatient Psychiatric Service, is modeled on the Roberto Clemente Family Guidance. It will share clinical leadership with the designated inpatient unit and have appropriate referral mechanisms.

Full implementation of this program depends on locating a suitable site either on the Lincoln campus or in the community. In its efforts to have the program implemented as soon as possible, HHC has requested that the Division of Real Property, in the City Department of General Services, provide assistance in obtaining program space for this important initiative. If an appropriate site has not been identified by November, HHC will begin offering limited services within the hospital's outpatient clinics.

AIDS

Recommendation 19. That funding be allocated for a massive bilingual public education campaign about AIDS that is aimed at the Hispanic community. That original Spanish-language materials be developed and disseminated through the Hispanic communication and support system.

The Department of Health places a great deal of emphasis on AIDS education for the Hispanic community. The AIDS hotline is staffed by Spanish-speaking personnel; education literature is bilingual; and meetings with women's groups, community groups and special interest groups are conducted in Spanish throughout the City. The Department of Health has recently hired four Hispanic outreach workers to work with community groups in Hispanic neighborhoods, focusing on I.V. drug users. A bilingual speaker has been hired to speak to appropriate groups about AIDS. In addition, the Department of Health is working with a group of Black homosexual men, many of whom are Hispanic, and another outreach worker has been hired to work with Hispanic and Black homosexual men.

Since the Mayor's Response to the Hispanic Commission, the Department of Health has greatly expanded its AIDS

prevention activities. Nearly 1,000,000 bilingual brochures are distributed each month in Health Department clinics and programs. The Department has implemented a heterosexual advertising campaign through the pro bono services of Saatchi & Saatchi Compton, Inc. These advertisements, produced with City funding, feature several actors who are minority and have been made available to all media channels, including minority-targeted radio stations, Spanish television stations, and ethnic newspapers.

A television and radio campaign developed by Mingo Jones, a minority-owned advertising agency, is aimed at reaching intravenous drug users and their sexual partners. Spanish adaptations have been developed for the radio. A fifteen minute video, designed to reach the same population, is also available in English and Spanish.

DOH has also launched a subway ad campaign which features posters in English and Spanish and representatives from many ethnic groups. A recent campaign "Women Can Get AIDS Too" addressed explicit risk reduction messages.

Finally, a "high-interest/low reading level" picture book on AIDS prevention is being prepared in English and Spanish for adults with limited reading skills.

Recommendation 20. That community organizations, such as the Hispanic AIDS Forum, be consulted regarding the development of policies and the allocation of funding for programs to address the AIDS epidemic.

The Department of Health holds regular monthly meetings with community groups, among them the Hispanic AIDS Forum and others serving the Hispanic community. These groups' concerns are discussed and taken into consideration when Department policy is made. Several contracts have been developed with minority organizations that focus on AIDS information/prevention services. Two of these organizations offer direct services to Hispanics:

- The Hispanic AIDS Forum has received $143,000 to provide outreach to Hispanic organizations and individuals including development of materials in Spanish for city-wide distribution and AIDS technical assistance to other Hispanic organizations. The Forum will train some 60

volunteer workers to disseminate the AIDS literature and establish educational programs for Hispanic areas.

- ADAPT (Association for Drug Abuse Prevention and Treatment) delivers services to intravenous drug users and their sexual partners in three minority communities: Williamsburg, the South Bronx, and Harlem.

The Department of Health also works closely with community-based organizations through its community outreach program. A team consisting of a full-time AIDS educator and a part-time community assistant offer educational seminars on AIDS and its prevention in 15 targeted communities where high rates of I.V. drug-related AIDS mortality have been reported. These communities include: Central Harlem, East Harlem, the Lower East Side, Bedford-Stuyvesant, the South Bronx, Tremont, Jamaica, Ft. Greene, Bushwick-Williamsburg, Brownsville/East New York, Coney Island, the Lower West Side, Washington Heights, the East Bronx, and Long Island City/Astoria.

Recommendation 21. That alcohol abuse be covered in all Board of Education anti-drug programs. That this curriculum be incorporated into bilingual programs.

Alcohol abuse is currently covered in all Board of Education anti-drug programs. The Department has been working closely with the Board of Education in the development of an alcohol abuse curriculum to be incorporated into the Board of Education's bilingual programs.

Recommendation 22. That culturally relevant and Spanish-language alcoholism services oriented towards Hispanics be expanded to meet the needs of alcoholics and their families. That these programs focus on the high incidence of alcoholism among Hispanic men.

The Department of Mental Health, Mental Retardation and Alcoholism Services encourages provider agencies to develop culturally-relevant services. The Department agrees there is a need to develop a focus on culturally-sensitive treatment techniques, subject to the availability of public funds. Related projects could also serve to coordinate data

collection, conduct studies, and issue reports concerning the mental health status of the Hispanic population.

Recommendation 23. That New York City Department of Mental Health, Mental Retardation and Alcoholism Services contract with Hispanic community based organizations to provide outreach services to the Hispanic community.

The Department is committed to expanding outreach services to Hispanics. The Department contracts with approximately 150 agencies as well as 14 Health and Hospitals facilities. Approximately 85 of these agencies have a significant Hispanic caseload (30 percent or more). Over the past two years, several new programs have been started or expanded to serve the Hispanic population, including four alcoholism programs.

Recommendation 24. That City agencies increase Spanish-language advertisements of alcoholism services and expand Spanish-language campaigns against drunk driving.

As indicated in the Mayor's Response to the Hispanic Commission, the Department of Mental Health, Mental Retardation and Alcoholism Services agrees there is a need for bilingual advertisements and literature. The Department is currently updating its brochure of alcoholism services and printing it in English and Spanish. Approximately 80 percent of the agencies providing alcoholism services under contract with the Department make bilingual brochures and literature available to the population they serve. As part of its contract administration, the Department is encouraging agencies to expand these efforts. Spanish language advertisements of alcoholism services have been published in such newspapers as El Diario, El Mundo, El Vocero and La Prensa. Advertisement of alcoholism services have also appeared on the City's Spanish language television stations. Another part of the City's Spanish language campaign against alcoholism is a 30 minute weekly radio program on WADO sponsored by the Hunt's Point Multi-Service Center. Finally, literature warning of the dangers and consequences of driving drunk or under the influence of drugs is available in Spanish through the City's Department of Transportation. These publications have been made available to the DMHMR&AS contract agencies and have been distributed in the Hispanic community.

HEALTH STATISTICS

Recommendation 25. That procedures be institutionalized to consolidate health statistics concerning the City's Hispanic population. This could be implemented by contracting with an independent research organization which would use available databases to publish periodic reports.

The Department of Health has received $100,000 from OMB to undertake a "State of the Data" study. The Office of Biostatistics has prepared a Request for Proposal for Consultant Services for the study. The RFP was approved at the Contract Review Committee on September 2 and was released on September 8. Proposals for the State of the Data Study are due by October 30. Assuming that the Board of Estimate approves the project by December 3, the study can begin by December 15, and run for an eight month term, expiring on August 15, 1988.

CHAPTER 9: CRIMINAL JUSTICE

PERSPECTIVES ON CRIMINAL JUSTICE

Crime and the fear of crime have an immeasurable impact upon the quality of life in New York City. As the Commission on the Year 2000 stated in its report, "crime undermines New York's status . . . More importantly, it does incalculable damage to neighborhoods and the communal life of the City . . . A civil city is first a safe city." [1]

Compared to other American cities, New York City is not the most dangerous. In fact, according to the Federal Bureau of Investigation's annual ranking of cities according to their crime rates, New York ranks fourteenth among the twenty-five largest cities. As has much of the nation, New York City has recently experienced a decline in the rate of reported crime after years of increasing crime rates. Yet, crime still affects many New Yorkers: each year, two of every 100 New Yorkers is the victim of a reported violent crime. [2]

The Hispanic communities of New York, like all others, are affected by criminal behavior. According to intake data from the Victim Services Agency, approximately 28% of the crime victims serviced by that agency are of Hispanic origin, more than their percentage in the population. [3]

Hispanic defendants also make up a significant, but not disproportionate, percentage of all defendants processed through the criminal justice system. In 1980, 23% of the defendants arrested for violent crimes were Hispanic. This level was roughly in proportion to their numbers in the general population: according to the census for that year, 20% of the City's population was Hispanic. This finding parallels a similar finding using 1970 data: in that year, when 16.2% of the New York City population was Hispanic, 15% of the people arrested for violent crimes were Hispanic. In 1986, 34% of the inmates held in Department of Correction facilities were Hispanic. [4]

The following Narrative highlights some of the City initiatives undertaken to address the unique needs of the Hispanic community in the context of the criminal justice system.

PROGRAM HIGHLIGHTS IN CRIMINAL JUSTICE

Crime and the fear of crime touch the lives of all New Yorkers. It is the responsibility of the agencies, both public and private, that work in the criminal justice system to carry out policies that will promote public safety, provide a swift and effective response to reports of criminal activity, bring wrongdoers to justice, address the unique needs of crime victims, and seek, through a combination of punishments and rehabilitative programs, to deter individuals from committing criminal acts in the future.

Victim Services Agency

The agencies of the criminal justice system have made special efforts to provide services to Hispanic New Yorkers who come into contact with that system. The Victim Services Agency, which reports that 28 percent of the crime victims it served during Fiscal 1987 were Hispanic, has undertaken several programs designed to address the unique needs of the Hispanic population. On May 1, 1987, VSA sponsored a conference on the needs of Hispanic crime victims and the services available to them. The conference was attended by sixty leaders representing different sectors of the Hispanic community. On July 1st, 1987, VSA and the Police Department expanded their highly-acclaimed Domestic Violence Prevention Program to the 23rd Precinct in East Harlem. VSA inaugurated a six-month, bilingual subway poster campaign on domestic violence and VSA services to crime victims. Bilingual posters were delivered to all city police precincts. Radio public service announcements were aired in Spanish on the topic of domestic violence and VSA services. VSA has distributed bilingual hotline cards advertising the Crime Victim Hotline throughout all VSA neighborhood offices.

Police Department

The Police Department has launched a number of law enforcement initiatives that have had significant beneficial impact upon the Hispanic community. Using a rough approximation, the Police Department has determined that a substantial proportion of basic police services, ranging from responses to crimes in progress to public nuisances, is

provided to communities with large Hispanic populations. Using the 1980 Census, the Police Department has identified twenty-one precincts with significant Hispanic populations (meaning in excess of thirty percent) and noted that, although the population of these precincts comprise only 27.8% of the city's total population, the Department responds to 33.9% of its calls for service in these precincts.

Beyond the basic calls for service, several of the innovative Police Department programs are targeted to these precincts with significant Hispanic populations. For example, Operation Pressure Point, the highly successful saturation strategy designed to rid the Lower East Side of open air drug trafficking, has provided substantial benefits to two precincts, the 7th and the 9th, with significant Hispanic populations. Over the entire Pressure Point area, this increased police presence has lead to a 33.4% decrease in robbery, a 22.9% decrease in burglary, and a 30.6% decrease in grand larceny comparing data for 1983 with data for the most recent year.

The success of Operation Pressure Point has lead the Police Department to inaugurate modified versions of this strategy in other neighborhoods with serious drug trafficking problems. In the 34th Precinct in Washington Heights, which is over 50% Hispanic, the Department launched Operation Clean Heights, directed at both illegal drugs sales and the pervasive problems of double parking and derelict autos. Through April 1987, there have been 5,133 drug arrests, 4,815 vehicles towed, and 269,385 summonses issued. Similarly, the Bronx Anti-Narcotic Drive (BAND) involves a saturation strategy to address illegal drug sales. Implemented in June 1985 in the 46 and 52 precincts, with 47.3% and 33.4% Hispanic populations respectively, the BAND program has resulted in 6,288 drug arrests through April 1987.

In a cooperative effort with the Board of Education, the Police Department has developed the Special Program to Educate and Control Drug Abuse (SPECDA), aimed at eliminating the sale of drugs in the vicinity of schools and giving school children an awareness of the hazards of drug abuse. The enforcement component of the SPECDA program involves police officers making arrests subsequent to undercover buys within a two block radius of a school.

Since its inception in September 1984 through May 1987, 12,600 arrests have been made. The educational component, which utilizes team teaching, principally in the fifth and sixth grades, to constructively alter children's attitudes toward drug abuse, is now offered in thirteen of the twenty-one precincts with significant Hispanic populations.

The Police Department has been engaged in a multi-year plan to return policing to a neighborhood basis through the Community Patrol Officer Program (CPOP). The premise of the CPO Program is that, to combat quality of life conditions and other crimes, meaningful contact must be established between patrol officers and the communities they serve. The CPO Program was first established on a pilot basis in the 72nd Precinct, a community where almost half the population is Hispanic. The CPOP program now serves 50 precincts, of which 17 have significant Hispanic populations.

In its ongoing effort to establish a constructive relationship between the police and the Hispanic community, the Department has undertaken two initiatives that recognize the unique needs of that community. The Department has established a New Immigrants Unit within the Community Affairs Division to establish working relationships with new immigrant groups to help them understand the role of the police in American society. Two of the seven sworn officers assigned to this new Unit are Hispanic. The Department also received funding to hire thirteen bilingual precinct receptionists in precincts with significant Hispanic populations to provide individuals who are not fluent in Spanish with a receptive individual who can guide them to police assistance.

Finally, the Police Department is realizing the successes of its efforts to recruit Hispanic police officers. Since 1978 the Department has increased the number of Hispanic officers by 281 percent, from 801 Hispanic officers in 1978 to 3,049 in July 1987. Fifteen percent of the new police officers hired in July 1987 were Hispanic. The recruitment of college students into a career in policing through the Police Cadet Corps has been equally successful at recruiting Hispanics. Of the 126 police cadets hired in June 1987, 39 (or 31%) were Hispanic.

Department of Correction

The Department of Correction provides custody for over 14,000 individuals in detention or sentenced for less than a year. In 1986, Hispanics comprised approximately 34% of those persons incarcerated in New York City jails.

While the principal function of the Department always will be to provide custody for inmates, the Department has taken on a new role in the community. One of its most recent programs emphasizes the Department's role in preventing crime. On July 24th, 1987, the Recruitment/Community Affairs Unit launched the first prevention/education program ever developed by any detention system in the United States. The program entitled "Officer Correct", offers a wide range of educational activities and a unique "loss of freedom" experience whereby children can enter a replica of a jail cell and observe first-hand what it means to be incarcerated.

Located at the Correction Training Academy, the Officer Correct Program is available year-round to school-age children and community groups. Activities include lessons in crime prevention, basic safety precautions, an anti-drug presentation, discussions about career development and life-goals, a presentation that describes the Department of Correction and child identification materials which include a photo ID card and fingerprints. A bilingual coloring book that teaches children safety tips and good citizenship is also available.

Criminal Justice Coordinator

Through the Office of the Criminal Justice Coordinator, the City of New York funds a number of community-based programs that provide innovative interventions in the criminal justice system. Through this collaboration between private agencies and government agencies, the City expects that the criminal justice system will have at its disposal a range of options beyond the traditional options of incarceration and punishment.

In a fundamental restructuring of the juvenile justice system, the state legislature mandated that diversion services be provided to Persons in Need of Supervision (PINS), children charged with acts such as truancy, running away, drug use and disobedience. Whereas formerly a majority of the approximately 5,000 children charged with

these status offenses were processed through court, now under the new law they will be referred to an assessment service administered by the Department of Probation that will divert them to non-judicial, community-based services. The City received approximately $1,455,000 to implement the legislation and provide funds to local programs. The City program has been operational since February 1987. Initial results demonstrate that about 35% of the PINS youth identified by the Department of Probation are Hispanic. The Designated Assessment Unit staff include bilingual workers to meet the needs of the Hispanic families and make appropriate referrals to community organizations.

The City also provides mediation services in four boroughs through two programs, one operated by the Institute for Mediation and Conflict Resolution and one by the Victim Services Agency. The centers provide mediation services as alternative to arrest and prosecution for cases involving interpersonal disputes between family members, tenants, acquaintances, common-law relatives, neighbors, friends and co-workers. Approximately 39% of the clients serviced by IMCR and 20% of those serviced by VSA are Hispanic.

Several of the Juvenile Justice Programs funded and monitored by the Office of the Criminal Justice Coordinator benefit the Hispanic community. El Puente de Williamsburg, a program that serves 250 adolescents by providing a wide range of activities from karate to schooling to medical assessments, services a population that is 95% Hispanic and has a totally bilingual staff. Theatre for the Forgotten: Changing Scenes, a program using theater methods in addition to traditional counselling and educational techniques to help 55 convicted juvenile and youthful offenders, services a population that was 35-40 percent Hispanic last year. The Wildcat Services Corporation operates two programs under contract with the Coordinator. The Youth Program provides, on a weekly basis, two days of work experience, two days of schooling, and one day of life skills training to 70 youth a year. Approximately 50 percent were Hispanic. The Supported Work Program provides full-time supervised work to 150 adult ex-offender clients; approximately 30% of them were Hispanic.

STATUS REPORT ON INITIATIVES IN CRIMINAL JUSTICE

Drug Abuse

Recommendation 1. That local public officials urge the Governor to expand the number of methadone treatment centers throughout the City and experiment with alternative drugs to accommodate those on waiting lists.

As indicated in the Mayor's Response to the Hispanic Commission Report, ten buildings have been selected by the New York State Division of Substance Abuse Services (DSAS) and the Department of Housing Preservation and Development for transfer from the City's in rem housing stock to the State through a condemnation action. These ten buildings located in East Harlem, the Lower East Side, the Upper West Side, Harlem, the South Bronx, Bedford Stuyvesant, and Flushing, Queens, were calendared for the August Board of Estimate meeting. However, the discussion of these buildings has been postponed until the September meeting because several Borough Presidents wished to discuss with affected community groups the opening of a drug treatment center in their community.

Recommendation 2. That prison medical facilities monitor inmates who have received attention for drug abuse over an extended period of time to provide the necessary therapy to lessen the chances that the prisoner will revert to drug abuse in prison or after release.

The Department has continued to offer detoxification services at the Correctional Institution For Women (CIFW), the Adolescent Reception Detention Center (ARDC), the Correctional Institution For Men (CIFM) and the Anna M. Kross Center (AMKC) for inmates who are addicted to opiates. The percentage of Hispanic inmates admitted for detoxification remains at about the same level as in 1986. In 1986, of those admitted to detoxification at CIFM, 46% of 4,600 were Hispanic males. Some 60% of the 650 adolescents detoxed in ARDC were of Hispanic origin. In CIFW, 38% of 3,390 were Hispanic women. Hispanic male detainees constituted 51% of the 7,240 inmates in AMKC.

In March of 1987, a new methadone maintenance program was implemented for women at the Correctional Institution

for Women (CIFW). This program, called the Key Extended Entry Program (KEEP), offers methadone to inmates and provides participants with a guaranteed placement in a state-funded maintenance program upon their release from jail. The objective of the program is to attract the high risk intravenous drug user into treatment. In addition, by providing treatment, needle use (a significant means for transmitting the AIDS virus) should decrease. About 75 women are presently in the KEEP program. In July, 1987, the Department expanded the program to include 50 sentenced men at CIFM. A month later, 100 beds at AMKC were set aside for participants in the KEEP program. With the additional beds established this summer, the Department can now accept a total of 250 inmates into the KEEP program.

The KEEP program limits eligibility to inmates who have been incarcerated on misdemeanor charges, who have no outstanding warrants, and who are currently in the jail's standard methadone detox program. As part of the KEEP program, inmates receive an orientation, drug counseling, AIDS information, as well as methadone, their dosage being determined by their detox status prior to their entry into the program. Before an inmate is discharged from jail or released on bail he must receive a referral letter from his drug counselor. The drug counselor must also contact the out-patient community-based KEEP program to insure that the program is ready to render services to the inmate. The out-patient community-based KEEP program allows the inmate to continue to receive counseling even after he has been released from jail.

From March through August, nearly 500 inmates were admitted into the KEEP program at the three facilities. During this period, over 66% of the inmates discharged from KEEP reported to a community-based drug treatment program upon their release from jail. In the first three months that KEEP was in operation, 60% of the program participants sought counseling at the community-based KEEP centers. Hispanics comprised 31% of the total number of participants.

Along with the KEEP initiatives, the Department is committed to establishing drug-free treatment services in the jails. The Department is currently working with PROMESA and Stay-N-Out to develop an intensive, therapeutic counseling effort for nearly 150 sentenced and detained inmates.

PROMESA has submitted a proposal to operate their program in a fifty bed unit at the Adolescent Reception & Detention Center (ARDC). DSAS has agreed to fund this initiative and the program should be in place by early October. PROMESA has already begun to identify program staff to counsel inmates. Stay-N-Out has developed a proposal to provide drug counseling to one hundred sentenced males. The Department is currently seeking monies from various funding sources to implement the Stay-N-Out program.

Inmates who choose to participate in the intensive drug-free program will be housed together and be ensured the opportunity to enter a treatment program upon their release. The main objective of these programs is to offer a drug-free alternative to inmates while they are incarcerated and follow up services once they are released. It is hoped that if inmates are no longer drug dependent, the likelihood of their committing another crime will be reduced.

The Department's efforts to recruit Spanish-speaking substance abuse counselors for its Social Services Department have been successful. Of the 41 positions that have been filled, 10 Hispanics have been selected. As a result, the Department has reached its goal of filling 25% of the new positions with Spanish-speaking persons.

The Department continues its efforts to select a person who will serve as the Department's liaison with Montefiore's substance abuse program, Alcoholics and Narcotics Anonymous and other programs that provide counseling in the jails. The coordinator will work with outside agencies to establish a broad referral network consisting of drug and alcohol treatment programs in the community.

Recommendation 3. That the City and State Departments of Health institute experimental programs to significantly expand drug-free treatment alternatives for heroin addiction which remains cognizant of cost limitations.

The Substance Abuse Task Force's treatment subcommittee, chaired by Dr. Stephen Joseph, is exploring ways of improving the provision of both chemotherapy (methadone) and drug-free treatment programs to New York City's drug abusers. DSAS representatives are taking an active part in this subcommittee, and it has been made clear

that the City will not assume any of the State's responsibilities to provide these drug treatment programs.

Recommendation 4. That the Mayor propose legislation to ensure that assets seized from drug dealers in post-conviction forfeiture actions be divided in similar fashion to those in pre-conviction forfeiture actions.

With respect to asset forfeiture actions, the City takes the position that the law, recently enacted, has not yet produced any significant results. However, from an understanding of the legislative debates and negotiations that led to the asset forfeiture law (it was passed in two substantially different forms in two successive years), it is our judgment that amendments should not be sought during this legislative session. In our judgment, neither the Legislature nor the Governor would be receptive now. We need to evaluate how the existing law is being enforced before we seek to change it.

Recommendation 5. That the Board of Education and the City evaluate on an annual basis the implementation of all drug prevention programs in the schools to ensure that they in fact, produce positive results, and do not encourage experimentation with drugs.

The responsibilities of the Task Force established by Mayor Koch and the Board of Education President Robert Wagner last September have been transferred to the education subcommittee of the substance abuse task force. This subcommittee is chaired by Michael Smith, Director of the Vera Institute of Justice, and has representatives from DSAS, the Board of Education, the Archdiocese of New York, School Program to Educate and Control Drug Abuse (SPECDA) and a community school district. This subcommittee is reviewing the drug prevention programs in the City's schools and will report its findings to the Substance Abuse Task Force later this fall.

Recommendation 6. That the City lobby the State to expand funding to treatment centers for cocaine and crack users in order to accommodate those on waiting lists.

As stated in the Mayor's response, Mayor Koch sent a letter to the Governor on this issue and it will continue to be a priority of the Task Force. As indicated in

recommendation 1, the City has provided ten in rem buildings to the State for the creation of drug free residential treatment centers which will address the acute need for services for those addicted to crack. Currently, the State-funded residential treatment programs are operating at 111% capacity. Approximately 4,000 clients are being served in State programs and there is a waiting list of 1,059 persons who are in need of treatment for drug addiction.

Recommendation 7. That the Mayor create a working group of law enforcement officials, health specialists, substance abuse treatment experts and other relevant professionals to monitor the adequacy of the appropriation of State funds for drug treatment and prevention, and to advise the Mayor on tactics to enhance treatment efforts in the City.

The Mayor and the City Council have exceeded the scope of this recommendation by creating a Substance Abuse Task Force under a statute signed into law in November. According to this local law, the Criminal Justice Coordinator chairs the Task Force which has met several times since its formation.

The Substance Abuse Task Force is composed of four subcommittees; the above-mentioned treatment and education subcommittees and law enforcement and legislation subcommittees. The law enforcement subcommittee is chaired by the Honorable Leslie Snyder, and the legislation subcommittee is chaired by Jay Cohen, Special Counsel, Department of Correction. These four subcommittees will be reporting their initial findings and recommendations to the entire Task Force at its September meeting. In turn, the Task Force will submit its first annual report to the Mayor and the City Council at the end of September 1987. The relevant recommendations made in the Report of the Commission on Hispanic Concerns are being reviewed for inclusion in the Task Force's report. Any additional suggestions or recommendations will also be considered by the Task Force.

Recommendation 8. That the City continue to urge the federal government to modify the Posse Comitatus doctrine which restricts the use of the military in civilian law enforcement for the purpose of drug interdiction by the United States military at the borders.

Amendment of Posse Comitatus has been and will be a priority of this Administration. While we were not successful last year in persuading the Senate to adopt the Bennett Amendment which provides for expanded involvement of the military in drug interdiction outside our borders, this amendment was approved overwhelmingly by the House of Representatives and we will continue to press for its adoption by the Senate this year.

Recommendation 9. That the City lobby Federal legislators to redraft the provisions of the Act which restrict United States aid to any country involved as a primary world supplier of drugs.

With respect to restrictions of foreign aid to drug-producing countries, the Federal Omnibus Drug law of 1986 did strengthen existing law to require an annual report by the President to the Congress on the adequacy of efforts made by such countries to control the production and export of illicit narcotic substances. This was an important measure in that it improved the law previously enacted in the early 1970's which was ridiculed as being totally ineffective and ignored by President Reagan and his predecessors. We believe that the federal law must be tougher and that it should cut off aid totally to drug-producing countries that are not actively engaged in crop eradication programs. Thus, the policy of this Administration is that the federal restrictions do not go far enough. Nevertheless, the Omnibus Drug Law has only been in effect for three months. We should wait at least one year to see if the Administration complies in good faith with the newly-enhanced foreign aid provisions. In our judgment, we do not believe that Congress would seriously entertain amendments to the foreign aid sections of the Omnibus Drug Law without giving the President an opportunity to enforce it in its present form.

Victim Services

Recommendation 10. That the Police Department mandate officers to distribute the bilingual Crime Victim's Hotline Card to all victims of crime. The card serves to put all victims in contact with the wide variety of services offered by Victim Services Agency. The failure to do so must be deemed a violation of the Patrol Guide by the Department.

The Police Department must satisfy the requirements of Executive Law 625A which mandates that crime victims be supplied information on the Crime Victim's Compensation Board. Currently the Police Department distributes cards that are printed by the Board which explain who is eligible for compensation. The Department is now working with the Crime Victim's Board to determine whether the information in the proposed VSA hotline cards can be incorporated into the Victim's Compensation Card.

Recommendation 11. That the City increase its funding of the School Victim's Assistance Project so that the Victim Services Agency can expand the program to those predominantly Hispanic schools with the highest incidence of crime.

The Board of Education has identified School District 10 (54.8% Hispanic student population) as an appropriate district for expanding the School Victim Assistance Program (SVAP). A request for proposals for SVAP is expected to be issued by the Board of Education by September 30. VSA will respond to the RFP with a proposal to establish SVAP in one elementary school and two intermediate schools in District 10. The program, which already exists in District 5, will train students in crime prevention and awareness and offer direct services to victimized youth.

Recommendation 12. That the City lobby the State Commissioner of Social Services for an extension of the 90-day limitation on length of stay in shelters for battered women, explore alternative shelters for these women, and find a way to help them to reclaim their homes.

The New York City Interagency Task Force on Domestic Violence has taken the following actions to encourage the State Commissioner of Social Services to extend the 90-day limitation on length of stay in shelters for battered women:

- Arranged for a representative from the New York State Department of Social Services to meet regularly with the Task Force so that the State is kept informed of the needs of domestic violence victims in New York City and of the difficulty of the 90-day limitation of stay;

- Made available to the Department of Social

Services research conducted by VSA which indicated a sharp decrease in the percentage of battered women who leave VSA safe homes program to go to independent living. In 1983, 63 percent went to independent living compared to 35 percent in 1986. These research findings underscore the need for an extension to the 90-day length of stay;

- Participated in a State Department of Social Services advisory committee to consult on implementation of the Domestic Violence Prevention Act which creates a new funding stream for operating expenses of residential and non-residential programs for victims of domestic violence. VSA has written to Commissioner Cesar Perales regarding the extension of the 90-day limit and is advocating within the advisory committee for the 90-day length of stay to be extended to 180 days.

Recommendation 13. That broader dissemination of information within the Hispanic community regarding the rights of battered women be a priority. This can be done by public service announcements in Spanish utilizing radio, television, and the printed media.

On May 1, 1987, VSA sponsored a conference on the needs of Hispanic crime victims and the services available to them. This conference was attended by 60 leaders representing numerous segments of the Hispanic community. Panelists discussed issues of concern to the Hispanic community, including the delivery of mental health services, the criminal justice system, and responses to domestic violence.

VSA has also been involved in other efforts to reach out to the Hispanic community. For example, VSA has written and aired radio public service announcements in Spanish on domestic violence, VSA programs for crime victims, and VSA's runaway hotline. These announcements were aired on stations WKDM and WJIT. VSA has also mounted a six-month, bilingual subway poster campaign on VSA services to crime victims. Bilingual posters informing readers about VSA services have been distributed at police precincts and hospitals and VSA

bilingual hotline cards were disseminated to all VSA neighborhood offices.

VSA continues to meet with community groups to devise strategies on how to better serve the Hispanic Community.

Recommendation 14. That VSA's Domestic Violence Prevention Program be expanded to more Hispanic communities.

On July 1st, 1987, the Victim Services Agency and the New York City Police Department expanded the Domestic Violence Prevention Program (DVPP) to the 23rd precinct in East Harlem. Start-up activities have included meeting with community groups, including the Victims Intervention Project, the Women's Network, the Mount Sinai Rape Crisis Program, and the Steps to End Family Violence Project of the Edwin Gould Services for Children. Since its inception, VSA counselor Linda Herrara and Police Officer Annette Alfaro have interviewed 46 families and made 29 referrals to supportive services. In making referrals to community-based organizations, the DVVP team works closely with the East Harlem Coalition Against Domestic Violence.

The Domestic Violence Prevention Program continues to operate in four other precincts including the 52nd precinct which has a significant Hispanic population.

Recommendation 15. That the bilingual Precinct Receptionist Program be expanded to each precinct with a Hispanic population of at least ten percent.

The Police Department, under the existing Precinct Receptionist Program, employs 33 receptionists in 21 precincts. Nine of those receptionists are bilingual in English and Spanish. As was announced in the Mayor's Response to the Hispanic Commission Report, the Department sought and received funding for an additional thirteen precinct receptionists so that those precincts located in communities that are predominantly Hispanic would be served by a bilingual receptionist. The Department is now hiring bilingual receptionists for these precincts: 83rd, 90th, 34th, 23rd, 48th, 46th, 72nd, 30th, 110th, 75th, 42nd, 52nd, and 115th.

Police Officers

Please note: The following recommendations of the Commission on Hispanic Concerns closely parallel similar recommendations made by the Mayor's Advisory Committee on Police Management, chaired by John Zuccotti. In the City's Response to the Hispanic Commission, the City stated that reactions to these recommendations would await the outcome of the review of the Advisory Committee report. That review is now completed and the responses listed below reflect the answers provided in the Mayor's response to the Advisory Committee report.

Recommendations 16-17. Concrete steps must be taken to address concerns of Hispanic police officers as to the fairness of entrance and promotional examinations. That the Department of Personnel and the Police Department continue in their efforts to devise entry-level and promotional examinations that are job-related. The Commission recommends that modern methods of assessing skills for promotional purposes be explored. In addition, the Police Department should provide those who take the exam with a reading list of materials actually used to devise the examination rather than the current long, and often unfocused, list of recommended reading.

As stated in the Mayor's Response to the report issued by the Mayor's Advisory Committee on Police Management and Personnel Policy (Zuccotti Committee), written entry level and promotional examinations must be limited to the assessment of job related knowledge.

Courts have invalidated examinations assessing knowledge of skills which could be learned during the job training. Entry level tests should be designed to test certain abilities needed to be able to either learn or apply the knowledge taught in the Academy, e.g., inductive and deductive reasoning, memory, ordering of facts, etc.

Therefore, the City believes that testing for job knowledge based on a concise reading list is not appropriate. However, in order to provide candidates with an opportunity to prepare for an examination, the Department currently administers tutoring classes before each entry exam at its own expense. The Department will continue to administer and expand these courses as necessary. Furthermore, great care is taken on each test to ensure that

the reading level is not higher than that required in the Academy or on the job.

With respect to promotion exams, the City believes that in addition to testing for technical skills, other necessary job relevant skills should be assessed. For these positions, tests which measure judgment skills are appropriate. For each promotion exam, the City develops a bibliography which documents the knowledge required to perform the job. By developing a relevant bibliography, the City can maximize the uniformity of preparation efforts by candidates and also maximize the long-term training benefits of exam preparation.

The City has for several years used different types of assessment exercises as part of the Police Department's promotional process. The City agrees that the oral interactive technique presents numerous benefits, and will continue to ask its expert testing consultants to incorporate these approaches as far as practicable in upcoming exams. In addition, the Department intends to explore the concept of a full and ongoing assessment center for use in training and managerial development.

Because of the size of the candidate population for promotion, there are numerous practical difficulties in using oral interactive exercies for sergeant promotions. First, the cost of putting each candidate through an oral interactive exercise is at least $100. For the rank of sergeant, approximately 14,000 police officers are eligible to compete in the examination. If a written technical knowledge test were used to screen candidates for eligibility to compete in a oral interactive exercise, it is likely that half the candidates would be found eligible. The City would then have to put all 7,000 eligible candidates through the interactive exercise before anyone could be appointed.

Because of the length of time necessary to administer the interactive exercise to all candidates, numerous alternate forms of the interactive technique would have to be designed so that candidates who are tested later in the process do not obtain an unfair advantage because they received information about the exercise from earlier tested candidates. When so many versions must be developed, one invariably loses some degree of comparability, which

jeopardizes the reliability of the exam. Similarly, the larger the number of candidates, the greater the number of raters required, which also negatively affects inter-rater reliability, in turn jeopardizing the validity of the exam.

Recommendation 18. That, to increase the likelihood of more Hispanics becoming police officers, additional points on civil service exams be awarded to New York City residents.

The Mayor's Advisory Committee on Police Management and Personnel Policy recommended this approach as a more easily implemented alternative to a residency requirement. However, it is the opinion of the Law Department that implementation would require amendments to the State Constitution and the Public Officers Law. Therefore, the City would prefer to continue its present approach of seeking legislation which would require residency for all new appointees to the uniformed forces.

Recommendation 19. That present psychological screening practices be reviewed to understand why such a significant number of Hispanics are being rejected on this basis and so that all cultural biases be eliminated from such procedures.

The Police Department has hired a full-time research psychologist to conduct a complete validation study of the candidate psychological test battery. The study will compare actual work performance with performance on the candidate psychological exam as well as thoroughly evaluate the impact of the exams on minority candidates.

The Department has already begun to implement this review. The adopted budget provides $100,000 to backfill for the staff that was diverted to assist the full-time psychologist. Preliminary findings will be reported in June 1988 and the study will be available in August 1992.

Recommendations 20. That, given the ongoing critical need for Spanish-speaking police officers, additional points be awarded to applicants on promotional examinations who are orally competent in Spanish.

The Zuccotti Committee and the Hispanic Commission urged the awarding of extra points on entry level and

promotional exams if an officer is fluent in a language other than English that is spoken by a significant number of the City's population. Although police officers are not assigned to particular precincts because of the foreign language they speak, it is important for the Department to have such language resources available when needed.

Although the Zuccotti Committee and the Hispanic Commission recommend building this language capacity by awarding points on an exam for language skills, this same objective may be reached by using the existing authority of the Personnel Director. Under the Rules of the City Personnel Director, a special language examination could be given after the police examination. The Personnel Director would then selectively certify certain candidates as proficient in foreign languages. Depending on the documented need of the Police Department, a specific number of these certified applicants would be permitted to move to the head of the list resulting from the exam.

This approach will be explored by the Police Department and the Department of Personnel in cooperation with the Language Services Coordinator as part of a Citywide effect to enable that all people with limited English speaking ability have access to City services.

It is expected that selective certification will be announced in the exam notice in April 1988 and used for the fall 1988 Police Officer exam.

Recommendation 21. That Police Department recruitment efforts for Hispanics be continued and significantly expanded to include New York City schools with significant minority enrollment.

The Police Department's Recruitment Unit has been recently expanded and is now headed by an Assistant Deputy Commissioner. The staff includes a full time lieutenant, 2 sergeants, and 14 police officers.

The Unit's chief function is to publicize the opportunities in policing to the community. It has directed its efforts towards high schools and colleges with a significant minority enrollment as well as community organizations and job centers. The Department has contacted such organizations as: the South Bronx Community

Corporation, East Harlem College and Career Counseling, United Latins of Queens, Grand Council of Hispanic Societies in Public Service, Hotline Trabajo, East Harlem Council for Community Improvement, and the South Bronx Job Corps.

In targeting the Hispanic community through the media, the Unit has placed numerous advertisements in Hispanic newspapers and has aired public service announcements on Hispanic radio stations. As part of the recent intensified recruitment effort directed at the October 1987 Police Officer Examination, over 5,000 celebrity posters and 22,300 in-house posters were distributed. Ten of the twenty-one in-house posters featured Hispanics and four were exclusively Hispanic. Two of the three celebrity posters featured Hispanics.

The Unit's outreach efforts have contributed to a dramatic increase in the representation of Hispanics on the force. In 1978 there were 801 Hispanic uniformed members of the Department (3.3% of the total uniform force). By April 1987 the number of Hispanics had increased by 262% to 2,898. Hispanics had now represent more than 10% of the entire force.

CHAPTER 10: DELIVERY OF CITY SERVICES

STATUS REPORT ON INITIATIVES IN DELIVERY OF CITY SERVICES

Recommendation 1. That City agencies keep statistics on the background of their clients by racial/ethnic group and language spoken at home in order to know the exact proportion of Hispanics in City programs and services. Such records should be kept in a manner which serves to enhance delivery services. Agencies should attempt to match actual client statistics with other available statistics on the target population for their service. If Hispanics are under-represented (or overrepresented), agencies should know why, and how modifications in their service delivery could effect the current situation.

In its response to the Hispanic Commission report, the City agreed that it should keep data on the ethnic, racial and demographic characteristics on the citizens who seek and receive City services. In September, Mayor Koch sent a memorandum to all agency heads asking them to determine whether information of this type is maintained by the agency and, if not, to develop a plan to ensure that appropriate demographic background data are kept and utilized to improve the delivery of services. This survey will be conducted simultaneously with the development of the Language Services Plans. (See Chapter 11.)

Recommendation 2. That agencies ensure that their Hispanic clients have equal access to all services. This equal access can be achieved through the effective use of bilingual staff, ad hoc interpreters, and translated printed materials.

These concerns are being addressed in the City's Response to the Language Services recommendations (see below). In summary, each agency will be required to develop a Language Services Plan to ensure that services are delivered to those who do not use English as a first language.

Recommendation 3. Agencies should ensure that services, where appropriate, take into account the cultural background of the Hispanic clients.

The City agrees that, in appropriate cases, it is important for city agencies to be aware of the cultural background of the agency's Hispanic clients. For example,

the Health and Hospitals Corporation has instituted a cultural sensitivity training course for trainers and educators in every HHC facility. On a pilot basis, HHC is also instituting an intensified cultural sensitivity course for selected employees at Elmhurst Hospital. As part of the citywide language services project, the Language Service Coordinator within the Mayor's Office of Operations will have the option of recommending to appropriate agencies that they consider the development of similar cultural sensitivity programs.

Recommendation 4. That agencies provide more service directly to the Hispanic communities through contracts with Hispanic organizations and technical assistance should be provided to assist Hispanic organizations to successfully bid and administer City contracts.

The city agrees that there should be increased use of Hispanic Community Based Organizations. Throughout this report, various agencies have reported that they either have increased their use of Hispanic CBO's or intend to do so.

Recommendation 5. That all City boards and committees appoint more Hispanic members. Policy making bodies should reflect the composition of the target groups of the program or service.

The City will continue to make an effort, through affirmative outreach and aggressive recruitment, to increase the pool of minority individuals and women who are appointed to various boards and committees. The City has recently begun to work with a professional recruitment firm to assist in this effort. As is discussed in greater detail in the response to Recommendation 46 in the Education Chapter, the City does not support the notion that there must be proportionate representation on city policy-making boards and committees. Rather, as in the case with the Mayor's Judiciary Committee, the city has combined a merit-based selection process with aggressive outreach to underrepresented groups. In the case of judicial appointments, the result has been consistently high quality appointments that also reflect high levels of minority and female appointees.

Recommendation 6. That the City establish as a pilot project a Spanish information hotline - (212) HISPANO. The

hotline would provide information on City services and refer callers to appropriate agencies.

The City agrees that there should be a pilot project that would establish a Hispanic services hotline. The appropriate location, staffing and focus of this service will be determined by the Language Services Coordinator after receiving agency Language Service Plans.

Recommendation 7. That agencies increase their outreach and advertising efforts to inform the Hispanic communities of the services available to them. In particular, agencies should learn to use the Hispanic media through advertising, articles, and community announcements.

We agree that there should be increased outreach to the Hispanic community to ensure that Hispanic citizens and organizations are aware of the variety of City services that are available to them. As has been demonstrated throughout this report, the City agencies have made significant progress in (1) translating materials into Spanish, (2) increasing the numbers of bilingual programs discussing the range of City services from economic development to pregnancy counseling, (3) increasing the use of Hispanic Community Based Organizations, and (4) hiring large numbers of Spanish-speaking staff to assist with the outreach effort.

Recommendation 8. That City agencies strengthen their contacts with Hispanic leaders and organizations.

Establishing good working relationship with Hispanic leaders and organizations is critical to the success of administrating the initiatives of this report. The Mayor's Special Advisor for Hispanic Affairs is assigned this responsibility.

Recommendation 9. That the City have a weekly television program in Spanish on WNYC, or on a channel that is more accessible to viewing in all five boroughs, in which different City services are discussed.

WNYC agrees with the Commission that there is a need for increased Spanish-language progrmming on WNYC. At the current time, WNYC does broadcast a weekly half-hour Spanish-language program, called Presente, which contains

dramatic presentations, entertainment and topics of interest to the Hispanic community. In the future, WNYC intends to incorporate Spanish programming into the upcoming regular broadcast budget request and the upcoming budget request for WNYC Cable. Although it will take a number of years for the City to be wired in a cable-TV system, WNYC would like to see that the system include Spanish-language programming on city services.

CHAPTER 11: CITY LANGUAGE SERVICES

PERSPECTIVES ON LANGUAGE SERVICES

The City of New York has an obligation to ensure that all people with Limited English Speaking Ability have access to city services. In order to provide public assistance benefits, enforcement services, health care, and many other services, it is essential that language not be a barrier. While many immigrants eventually learn to speak English, until they are fluent in English, City agencies and private service organizations must develop ways to reach out to non-English speaking persons in their native tongue.

Hispanics comprise the largest percentage of persons with Limited English Speaking Ability (LESA). The U.S. Census reports that almost half of "other Hispanics" or "non-Puerto Ricans" speak English "not well" or "not at all". The percentage of adult Puerto Ricans with limited English skills is 10.6%. Almost all Puerto Rican adults, 95% of those age 25 and over, speak a language other than English at home as do 92% of other Hispanics.

Among younger Hispanics, difficulty with English is less prevalent. While 88% of Hispanic children speak a language other than English at home, these children can also speak English. Approximately 20% of "other Hispanics" 5 to 24 years of age speak English either "not well" or not at all. Ten percent of Puerto Ricans in this category have limited English.

In the Mayor's Response to the Hispanic Commission Report, the City agreed to appoint a Languages Service Coordinator to develop and implement language service plans in those agencies that have substantial interactions with the public. Well in advance of the development of a citywide language services effort under the new Language Services Coordinator, several city agencies, including the Human Resources Administration and the Health and Hospitals Corporation, have already begun implementing programs to serve limited English-speaking clients. These agencies provide some of the most vital services to the City's residents and are featured in the following narrative.

PROGRAM HIGHLIGHTS ON CITY LANGUAGE SERVICES

Human Resources Administration

In the beginning of 1986, the Human Resources Administration commenced a study to analyze access to services for its LESA population. The purpose of this study is to establish a language access plan which would bring bilingual capability to all of the programs administered by HRA.

The first phase of the program began with an analysis of the Limited English Speaking Ability population at each program and site. Surveys were collected from 14 out of a total of 17 HRA programs that have direct client contact. The Medical Assistance Program, and the Office of Psychiatry remain to be surveyed.

The survey found that of the clients with Limited English Speaking Ability, most spoke Spanish as their primary language. The findings indicated that in Income Maintenance, the program with the largest caseload (358,537), twelve percent or 43,024 of the client population could be defined as LESA. Of this group, 98% are Spanish speaking. In Day Care, the LESA population was slightly higher. Of the fifteen percent that made up the LESA population in Day Care, sixty-three percent were Spanish-speaking. The second largest group (28%) spoke Chinese as their primary language. Other languages included French and Creole.

A second phase of the access plan focuses on the identification and tracking of LESA clients, establishment of standards and goals for bilingual staff, progress of goal attainment and accommodation of clients when the appropriate bilingual staff is unavailable.

Several programs initiated plans to assist LESA clients prior to these surveys. For example, Income Maintenance (IM) had set target levels for bilingual staff in IM centers. IM tracks compliance with these goals by monitoring changes in the LESA population and hiring staff accordingly. Special Services for Children, the Office of Family Services, and the Food Stamp Program also set goals for hiring bilingual staff. While Crisis Intervention does

not maintain formal targets, it has Spanish-speaking staff on all of its shifts at the congregate shelters for the homeless.

Health and Hospitals Corporation

Last year the City Council passed a bill, Local Law 10, to ensure adequate availability of interpreter services in HHC Emergency Rooms. The law specifically mandated around-the-clock interpreter services in those HHC Emergency Rooms serving a community in which 10% or more of the population speaks a given language. HHC has exceeded the requirements of this law by establishing a central language bank at each HHC facility in addition to providing interpretation services in Emergency Rooms. HHC staff are available to provide interpretation services to inpatient, outpatient, and emergency room patients. The average number of languages spoken at each HHC language bank is 22, with some hospital banks being able to translate as many as fifty languages including Spanish, Russian, Tagalog, Creole, Greek, American Sign Language, Korean, Italian, Hungarian, Chinese, and others. In addition, hospital auxiliaries, volunteer departments, and community organizations have provided assistance to hospitals which have a critical need for a specific language.

HHC has been closely monitoring its compliance with Local Law 10. In a recent study tracking the availability of interpretation services in the Emergency Rooms of the major HHC facilities, it was found that (1) Spanish-speaking interpreters were readily available when requested by staff during unannounced visits, and (2) Spanish speaking persons were scheduled for almost all work shifts. The study discovered that facilities serving the largest number of Hispanics had the most comprehensive coverage. For example, approximately 55% of the staff at Lincoln Hospital speak Spanish.

HHC also conducted a thirty day utilization survey. For each day, staff were requested to record the number of Spanish interpretation encounters, the number of non-Spanish interpretation encounters, and the number of requests by Emergency Rooms to hospital central language banks when interpreters were not available in the Emergency Rooms. The results of the audit were as follows: Of the 3,111 requests

for interpretation, 91.5% were requests for Spanish-speaking interpreters and were handled by ER staff. Requests for non-Spanish speaking interpreters comprised 6.3% of the total. Only 2.1% of the total requests could not be handled by ER staff. These requests were ultimately handled through the Hospital's central language banks.

With the appointment of the Language Services Coordinator, the City will be in a better position to evaluate the services that are currently available to persons with Limited English Speaking Ability. In addition, where agencies lack a coherent plan for serving this population, strategies can be developed that meet their needs. Such strategies may include but are not limited to bilingual personnel, agency interpreters, citywide interpreters, language bonuses, selective certification and parenthetic titles.

STATUS REPORT ON INITIATIVES ON CITY LANGUAGE SERVICES

Recommendation 1. That the Mayor direct all city agencies providing substantial public contact service, to submit to him by January 1988 a Language Services Plan outlining the mechanisms by which agencies will ensure that limited English speaking Hispanics have equal access to its services.

Recommendation 2. That a Language Services Coordinator be appointed in the Mayor's Office of Operations to coordinate and monitor the agencies' Language Services Plans and other City language service efforts.

Recommendation 3. That legislation be introduced mandating the use of language services in City agencies.

Recommendation 4. That the basis for the Language Services Plans be the proposed Guidelines for the Use of Spanish Bilingual Staff, Ad Hoc Interpreters, and Translators in NYC Agencies. The Guidelines set out the minimum procedures for agencies' language services.

Recommendation 5. That Spanish-speaking candidates for employment be given priority in hiring for all public contact job titles in City agencies.

Recommendation 6. That other City employees, not in public contact titles but who are willing and able to interpret or translate for clients and other workers, be paid a Language Bonus of up to $1,500 per annual in exchange for out-of-title ad hoc interpreting and translating.

Recommendation 7. That all persons providing language services for the City be tested for their language skills and trained in interpreting and translating techniques.

Recommendation 8. That all Spanish-language translations used by City agencies be regularly reviewed to ensure that they comply with the minimum standards set out in the Guidelines.

As recommended by the Commission on Hispanic Affairs, the City has created the position of Languages Services Coordinator in the Mayor's Office of Operations. A

candidate has been selected for this position and the appointment will be announced shortly.

In addition to the Citywide Coordinator, a language services officer will be designated in each agency that provides substantial public contact services. In conjunction with the Coordinator, the languages services officer will assist in developing Language Services Plans for each city agency. The Coordinator will also work with agency officers to implement many of innovative ideas for providing access to city services outlined in the proposed Guidelines for the Use of Spanish Bilingual Staff, Ad Hoc Interpreters and Translators in New York City Agencies.

The Coordinator will report to the Mayor by April 1st, 1988 on the agency plans and other City language service efforts. Every issue raised in the Guidelines will be addressed in the report to the Mayor.

FOOTNOTES

INTRODUCTION: THE HISPANIC COMMUNITY

1. The New York Times, Friday, September 11, 1987, Section A. Page 1.
2. U.S. Census 1980 Report PC80-1-B-34 (New York).
3. Office of Policy & Economic Development, Human Resources Administration, DEPENDENCY: An Economic & Social Data Report for New York City, August, 1987, Unpublished Report.
4. The Report of the Commission on the Year 2000, New York Ascendant, June, 1987.
5. Mann, E.S. & Savo, J.J., Characteristics of New Immigrants to New York City: A Comparison of Puerto Ricans and Non Puerto Rican Hispanics, paper presented at the Population Association of America, Minneapolis, Minnesota, May 3, 1984.
6. Ibid.
7. The New York Times, Sunday, August 9, 1987, Section E. Page 6.
8. Office of Policy & Economic Development, Human Resources Administration, DEPENDENCY: An Economic & Social Data Report for New York City, August, 1987, Unpublished Report.
9. Rosenberg, T.J., Poverty in New York City 1980-85, Community Service Society, 1987.
10. City of New York, Department of City Planning, Demographic Profile, December, 1983.
11. Ibid.
12. City of New York Community District Statistics, June, 1984.
13. Mann, E.S. & Savo, J.J., Characteristics of New Immigrants to New York City: A Comparison of Puerto Ricans and Non Puerto Rican Hispanics, paper presented at the Population Association of America, Minneapolis, Minnesota, May 3, 1984.
14. Department of Health, Summary of Vital Statistics 1985, City of New York.

CHAPTER 2: EDUCATION

1. The Report of the Commission on the Year 2000, New York Ascendant, June, 1987.
2. Rosenberg, T.J., Poverty in New York City 1980-85, Community Service Society, 1987.
3. Board of Education.

4. City of New York, Department of City Planning, Community District Statistics, June 1984. Community District Statistics, June 1984.
5. New York City Board of Education, 1986-87 Chancellor's Report, Office of Bilingual Education, June, 1987.
6. Commission on Hispanic Concerns, Report of the Commission, December 10, 1986.
7. Office of Institutional Research and Analysis, 1986 CUNY Enrollments by Ethnicity and Sex, City University of New York. (Table)

CHAPTER 3: ECONOMIC DEVELOPMENT

1. U.S. Dept. of Commerce, Minority-Owned Business-Hispanic, Bureau of the Census, September, 1986.
2. Ibid.
3. Office of Business Development, Economic Development and the N.Y.C. Hispanic Business Comments, Unpublished paper.
4. Commission on Hispanic Concerns, Report of the Commission, December 10, 1986.

CHAPTER 4: HOUSING

1. Stegman, M., Housing in New York City: Study of a City 1984. Prepared for the City of New York, Department of Housing Preservation and Development, February 1985.
2. Ibid.
3. Ibid.

CHAPTER 6: PRIVATE SECTOR EMPLOYMENT

1. Commission on Hispanic Concerns, Report of the Commission, December 10, 1986.
2. U.S. Dept. of Labor, Mid-Year Report on 1987, Bureau of Labor Statistics, July, 1987.
3. Ibid.
4. The Report of the Commission on the Year 2000, New York Ascendant, June, 1987.
5. Stafford, W.W., Closed Labor Markets, Community Service Society, January, 1985.
6. Commission on Hispanic Concerns, Report of the Commission, December 10, 1986.
7. The Report of The Commission on the Year 2000, New York Ascendant, June, 1987.

CHAPTER 7: EMPLOYMENT IN CITY GOVERNMENT

1. Report on the Commission on the Year 2000 New York Ascendant, June, 1987.
2. Ibid.
3. Department of Personnel Monthly Report.
4. Department of Police Monthly Report.

CHAPTER 8: HEALTH AND MENTAL HEALTH

1. The Report of the Commission on the Year 2000, New York Ascendant, June, 1987.
2. Commission on Hispanic Concerns, Report of the Commission, December 10, 1986.
3. Health and Hospital Corporation Hispanic Monthly Report.
4. Ibid.
5. Ibid.
6. Ibid.
7. Ibid.

CHAPTER 9: CRIMINAL JUSTICE

1. The Report on the Commission on the Year 2000 New York Ascendant, June, 1987.
2. Ibid.
3. Victims Service Agency Monthly Report.
4. Rodriquez, R., Crime Rates Among Hispanics, Blacks and Whites in New York City, Research Bulletin, Hispanic Research Center, Fordham University, Vol. 7, Nos.1-2, January - April, 1984.

We express our appreciation to our many
colleagues in City agencies
who helped produce this Annual Report.

Jeremy Travis,
Special Advisor to the Mayor

Lisa Gulick
Rosemarie Maldonado
Jeanne Mullgrav

Luis Miranda,
Special Advisor to the Mayor
for Hispanic Affairs

Zaida Chasi
Venera Jarvis
Angel Linares
Zulma Ortiz
Reinaldo Pagan
Hulda Ramos
Esther Ruiz